TOTALITARIANISM — DETENTIONS

1982

SEPT. — DEC.

Section D

# Union slams detention of secretary general

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**THE SOUTH AFRICAN Black Municipality and Allied Workers' Union (Sabmawu) has issued a statement slamming the detention of trade unionist Mr Cosmos Phokwa.**

This statement also comes in the wake of the Ciskei Government's detention of two former Robben Island prisoners and four trade unionists. The six were detained near King William's Town after attending the unveiling of Mr Mangaliso Robert Sobukwe's tombstone.

They are Mr Steve Mohame and Mr Victor Moalase, both of Mapetla in Soweto, Mr Tembekile Nyhobo and Miss Notembu Shosha. The names of the other two have not been released. It is not yet known under what law they are detained.

The Sabmawu statement reads: "Sabmawu slams the detention of a trade unionist Mr Cosmos Phokwa. He is the general secretary of the Black Allied Workers' Union (Bawu) and was detained on Friday at the union's Johannesburg offices.

"The detention of Mr Phokwa affects all the workers in this country. The South African Government is persistant with its abhorrent detentions without trial. We condemn the detentions without trial as barbaric ways of dealing with trade unionists and other civilised people.

"We were shocked by his detention because he did not commit any crime. We demand his immediate release and that of other trade unionists. We demand that Mr Phokwa and other trade unionists be brought before court or released. These detentions, and this intimidation, is not going to stop us from fighting for our rights in this country."

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**EVERY CANDIDATE MUST** enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

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**NOTE CA**

1. Entel of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

**ARNING**

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

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# Matola captive still in SP hands

A MOZAMBICAN citizen, captured during the South African Defence Force raid on African National Congress bases in Matola 18 months ago, has been in the custody of Security Police ever since — and a further one-year detention order was served on him this week.

David Tobela, 27, was brought from Matola by the SADF after their raid on January 29, 1981.

He was held under Section Six of the Terrorism Act for three months before being transferred to Section 10 of the Internal Security Act.

According to his lawyer, Mr Graham Dyson, Mr Tobela has not been interrogated since April 1981.

He has also had no visitors as his father — the only family member he has in South Africa — has not been traced.

This week Mr Tobela was served with a new order which extended his detention in Modderbee Prison until September 1983 under Section 28 (1) of the new Internal Security Act.

In the reasons given in the order, the Minister of Law and Order, Mr Louis le Grange, said he had been recruited for the illegal ANC.

"Mr Tobela has been charged, convicted and sentenced by the same person — the Minister of Law and Order. He has not been given the chance to defend himself," Mr Dyson said.

● Mr Modicae Mothibi Tsatsa, who is being held in Modderbee with Mr Tobela, this week also had his detention order extended for another year under the same section.

Mr Tsatsa was detained on March 23 this year after he finished a one-year sentence for refusing to give evidence in a Terrorism Act trial.

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D. Dispatch 2/9/82

# Ciskei judge rules statements admissible

ZWELITSHA — Chief Justice D. S. De Wet ruled in the Ciskei Supreme Court yesterday that statements allegedly made in Afrikaans by three Mdantsane men on terrorism charges were admissible as evidence.

The judge said the contents of the statements were acceptable provided that a proper English translation was placed before the court. The fact that they were made to a magistrate outside Ciskei did not invalidate them because Ciskei had not been independent when they were made.

Defence counsel, Advocate M T K Moerane, had objected to their admissibility on the grounds that they were in Afrikaans, which was no longer an official language in Ciskei and that they were not made to a Ciskeian magistrate or magistrate in Ciskei.

Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Bhayi Jeffrey Keye, 52, and Mr Luyanda Patric Mayekiso, 23, all of Mdantsane have pleaded not guilty to participating in terrorist activities, recruiting people to undergo military training, being members of the banned ANC and being in possession of banned literature.

The Attorney General, Advocate W J Jurgens, had applied to submit statements allegedly made by Mr Duna, Mr Maninjwa and Mr Mayekiso.

He said Mr Mayekiso had told the magistrate he had not been assaulted at the time of making the statement but had said he had been assaulted two weeks previously.

Mr Jurgens said the statement had therefore been made freely and voluntarily and there was no connection between it and the alleged assault as the latter had allegedly taken place two weeks previously.

Mr Jurgens said that when Mr Maninjwa was asked what benefit he expected to gain from making a statement, he had said he hoped his "colleagues" would be discharged. This was no inducement, however.

Mr Moerane submitted that the statement allegedly made by Mr Duna appeared to have been made by a Mr A F Majola and this name did not correspond with Mr Duna's name.

He argued further that the state should prove to whom the statements had been made. Secondly, the person who issued the certificate should say whether he had interpreted correctly and verify that he was the interpreter.

Mr Moerane criticised the East London additional magistrate, Mr Edward Marais, who took Mr Duna's and Mr Maninjwa's statements.

He said Mr Duna had told the magistrate that he had already made a statement to a Lieutenant Van Wyk. Asked why he wanted to make a second statement, Mr Duna had said he wanted to make it so that it could be handed to court.

Mr Moerane said the magistrate should have asked when the first statement had been made and investigated the matter.

And when the accused said he wanted his second statement to be handed into court, the magistrate should also have queried this. It was a curious answer and the magistrate should have realised there may have been influence brought to bear.

Dealing with Mr Mayekiso's claim when he made his statement that he had not been assaulted "now" but two weeks previously, Mr Moerane said the magistrate had not even asked him who had assaulted him.

Mr Maninjwa, when asked by the magistrate what advantage he expected to gain from making the statement, had said he wanted his colleagues to be discharged.

"Here again Mr Marais recorded in a mechanical way," Mr Moerane said, and accused the magistrate of not doing his duty. Here too there seemed cause to suspect inducement, he said.

Mr Justice de Wet ruled in Mr Duna's case that the statement clearly had been made by him. There had been a mistake in the name.

He upheld Mr Moerane's contention on the other elements.

The state called Mr Edward Marais, who testified that he took Mr Duna's and Mr Maninjwa's statements.

Under cross-examination by Mr Moerane, he said it made no difference to him when taking a statement whether a deponent was detained under the security legislation or not.

He said he seldom went beyond the prescribed questions to probe for inducements and alleged assaults.

Cross-examination of Mr Marais continues today. — DDR

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*include representatives of municipal, management committee and divisional council associations in the Cape.*

lish the new Cape regional bodies will be held in Kimberley on Friday, Cape Town on Monday, Beaufort West on Tuesday and Port Elizabeth during September.

Mr Louw will be chairman of each of the four regional bodies, with Mr Hernus Kriel, MEC in charge of local government, as deputy chairman.

Invited to each of the meetings are seven representatives of the Municipal Association of the Cape, seven members of the Association of Management Committees, one member of the South African Indian Council and one member of the Association of Divisional Councils.

## NOMINEES

Each committee will comprise nominees of these bodies appointed by the Administrator, as well as any ad hoc members the Administrator may think necessary, and ex officio members nominated by the Department of Internal Affairs.

Regional committees will in turn be represented on a national liaison committee under the chairmanship of the Minister of Constitutional Development, Mr Chris Heunis.

dorp, Vredendal, Clanwilliam, Piketberg, Ceres, Worcester, Montagu, Ladismith, Oudtshoorn, Uniondale and (along the coast) Knysna, George, Mossel Bay, Riversdale, Swellendam, Bredasdorp, Caledon and the whole Western Cape-Peninsula area.

- Karoo, based in Beaufort West, comprising Calvinia, Sutherland, Laingsburg, Prince Albert, Beaufort West, Fraserburg, Murraysburg, Victoria West, Richmond, Hanover, Noupoort, Colesberg, De Aar, Philipstown, Hopetown, Prieska, Victoria West, Fraserburg and Williston.
- Northern Cape, based in Kimberley, comprising Gordonia, Kenhardt, Herbert, Kimberley, Barkly West, Warrenton, Vryburg, Kuruman and Postmasburg.
- Eastern Cape, based in Port Elizabeth, comprising on its boundaries with the Karoo and Western Cape regional committees the districts of Venterstad, Steynsburg, Middelburg, Graaff-Reinet, Aberdeen, Willowmore and Humansdorp, and all the area east of these districts, including Aliwal North, Elliot-Maclear, Queenstown-Komga, Cradock, East London, Grahamstown and Port Elizabeth.

# Charges against unionist dropped

By STEVEN FRIEDMAN
Labour Correspondent

CHARGES under the Terrorism Act against the general secretary of the SA Allied Workers' Union, Mr Sam Kikine, were dropped yesterday when he appeared unexpectedly in the Durban Magistrate's Court.

This move follows a remarkable series of events in which Mr Kikine was detained without trial under security laws for several months, charged in a Johannesburg court had the charges against him withdrawn, was redetained and transferred to Durban where he was again charged and released on bail.

Mr Kikine said yesterday that he had received a call from the Durban public prosecutor's office on Wednesday asking him to appear in court later in the day, where charges against him would be dropped. He had been unable to get to court at the arranged time and had then agreed to appear yesterday morning to hear the charges against him withdrawn.

No explanation or reasons were given for the dropping of the charges against Mr Kikine and he has not been told that he may be called as a witness in any forthcoming security law cases.

Mr Kikine was detained late in November last year initially under the General Law Amendment Act and then under the Terrorism Act.

During his detention he was admitted to the psychiatric ward of a Durban hospital. After about six months in detention, he appeared with president Mr Sisa Njikelana and vice-president Mr Thozamile Gqweta and Mr Saawu Ndzanga in the Johannesburg Magistrate's Court and was charged under the Terrorism Act.

However, later on the same day Mr Kikine reappeared in the court and was told by the presiding magistrate that charges against him were being withdrawn. He was also told, however, that he would remain in police custody and was to be transferred to Durban. In Durban, he later appeared in court charged under the Terrorism Act and was released on R500 bail, a move which lawyers described as "unusual" in Terrorism Act cases.

Meanwhile, Mr Gqweta and Mr Njikelana were transferred to Grahamstown and then to East London, where they, too, have now been released on bail of R750 each.

UNIVERSITY OF CAPE TOWN



FRC

# Translation can be ambiguous — interpreter

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D. Dispatch 4/9/82

ZWELITSHA — In a trial within a terrorism trial in the Supreme Court here yesterday, Chief Justice D. S. De Wet ruled that the onus lay on the defence to prove that two statements made by two accused had not been made freely and voluntarily.

In the case of the statement of another the onus was on the state to prove it had been made freely and voluntarily, he said.

The judge added statements made by Mr William Duna, 31, and Mr Dumisani Maninjwa, 31, could be admissible as evidence. They appeared to have been made freely and voluntarily and the onus was on the defence to prove the contrary.

But in the case of an alleged statement by Mr Luyanda Mayekiso, 23, the onus was on the state to prove it had been made freely.

The three men, together with Mr Bhayi Keye, 52, all of Mdantsane, have pleaded not guilty to participating in terrorist activities, being members of the ANC, recruiting people to undergo military training and being in possession of banned literature.

Advocate M. T. K. Moerane, for the defence, had objected to presentation of the men's statements to the court.

There was doubt as to whether Mr Duna and Mr Maninjwa's statements had been made without inducement, he claimed, and said Mr Mayekiso had alleged he had been assaulted.

The state called the former Mdantsane prosecutor, Mr Welcome Ntaba Mtyongwe, who had interpreted for Mr Mayekiso when he made his statement.

Mr Mtyongwe said he had interpreted everything fully and truthfully, to the best of his ability.

He said Mr Mayekiso had been told by the magistrate, Mr J. A. Stanford, before making the statement that he was before a magistrate, who had nothing to do with the police. Mr Mayekiso had been told he was not compelled to make a statement and had nothing to fear.

Mr Mtyongwe said the deponent had told the magistrate he had been assaulted by police. He could not remember whether Mr Mayekiso had mentioned the names of the alleged culprits or where he was allegedly assaulted.

He later agreed Mr Mayekiso had mentioned the place where he claimed to have been assaulted.

Mr Mayekiso told the magistrate he had been assaulted two weeks previously during interrogation, Mr Mtyongwe said.

He then admitted that a Xhosa interpretation of two weeks previously and during the past two weeks could be the same, depending on the sense in which it was used.

Asked by Mr Justice De Wet to tell the court in English what the deponent had said, Mr Mtyongwe said Mr Mayekiso had said he had not been assaulted "now" but two weeks ago. — DDR

# AFL-CIO honours Aggett, Buthelezi

Star Labour Reporter 7/9/82

Dr Neil Aggett, the trade unionist who died in police custody early this year, has been named as a joint recipient of a prestige labour award.

Dr Aggett, who was an official of the African Food and Canning Workers' Union, received the George Meany Human Rights Award posthumously. Chief Gatsha Buthelezi, Chief Minister of kwaZulu, is this year's co-recipient.

The award is made by the United States labour grouping, the AFL-CIO, and named for the former president of the organisation. Last year the honour went to the head of the Polish Solidarity movement, Mr Lech Walesa.

The vice-president of the AFL-CIO, Mr Sol Chaikin, said in Johannesburg yesterday, members of Dr Aggett's family were expected in Washington next month to receive the award on behalf of Dr Aggett. Chief Buthelezi is also expected to attend the award presentation in Washington.

An AFL-CIO delegation will meet the Aggett family in Cape Town soon.

# THE WORLD PROTESTS

## Are they listening?

**VENDA has become the latest target of an Amnesty International letter campaign, concerning a man who died in detention.**

OWN CORRESPONDENT

In their letters to President Patrick Mphephu, the Minister of Justice, Chief J R Rambuda, the commanding officer of the Venda national force, Brigadier Tshikhakhisa Maulaudzi, and the Attorney-General, Mr J D Visser, the writers refer to an inquest in Sibasa on July 21 into the death of Mr Isaac Tshifhiwa Muofhe.

Mr Muofhe, a 29-year-old Lutheran lay preacher, was among a group of people arrested after an attack on a Sibasa police station at the end of October, 1981. He died on November 12, only two days after his arrest.

The inquest found, the letters state, that Mr Muofhe was beaten to death by two Security Policemen who were interrogating him, Captain Muthupphei Ramaligela and Sergeant Phumula Mangaga.

Some of the writers ask if the authorities intend to prosecute the two policemen. Others press for charges to be laid against them.

The basis for the letters was summed up in one of them that "there cannot be any confidence in the representatives of the law, if they are above the law and not subject to the laws as the rest of the population."

**TARGETS: Amnesty International has letter campaigns against President P Mphephu (left) and Prime Minister P Botha.**

The letters emanate mostly from France and West Germany, but contributions came from Switzerland, Britain, Norway, Sweden, Belgium, New Zealand and Ireland.

Another Amnesty International campaign aimed at the Transkei is still going strongly.

Letters are flowing into the offices of the President, Paramount Chief Kaiser Matanzima, the Prime Minister, Chief George Matanzima, and the head of the Security Police, Major-General Martin Ngceba.

France and West Germany led this campaign, but now writers in the United States and Canada predominate in asking about Mr Ezra Mvuyisi Sigwela, who was arrested at his Umtata office on June 28.

Mr Sigwela is a field worker for the Transkei Council of Churches Dependants' Conference, an organisation providing for the welfare of families of political prisoners and detainees.

Yet another campaign, this time directed against South Africa, continues to bring a strong flow of letters to the Prime Minister, Mr P W Botha, and the Minister of Justice, Mr H J Coetsee.

These letters add to previous ones appealing for the commutation of the death sentences passed on Thelle Simon Mogoerane (23), Jerry Semano Mosololi (25), and Marcus Thabo Motaung (27).

# Amnesty International aims at death in detention

VENDA has become the latest target of an Amnesty International letter campaign, which concerns a man who died in detention.

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Mr Muofhe, a 28-year-old Lutheran lay preacher, was among a group of people arrested after an attack on a Sibasa police station at the end of October, 1981. He died on November 12, two days after his arrest.

The inquest found, the letters state, that Mr Muofhe was beaten to death by two security policemen who were interrogating him. Some of the writers ask if the authorities intend to prosecute the two policemen. Others press for charges to be laid against them. The letters emanate mostly from France and West Germany, but contributions came from Switzerland, Britain, Norway, Sweden, Belgium, New Zealand and Ireland.

Another Amnesty International letter campaign, aimed at the Transkei, asking about Mr Ezra Sigwala, a Transkei Council of Churches worker who was arrested on June 28, is still going strongly.

Yet another campaign, this time directed against South Africa, continues to bring a strong flow of letters to the Prime Minister, Mr P W Botha, and the Minister of Justice, Mr H J Coetsee, appealing for the commutation of the death sentences passed on Thelle Simon Mogoerane, 23, Jerry Semano Mosololi, 25, and Marcus Thabo Motaung, 27.

They were condemned to death in Pretoria on August 6 for high treason, offences under the Terrorism Act, murder, attempted murder and robbery. — Sapa

councils. — DDR.

# Umtata man tells of detention

UMTATA — A son of a local businessman who said he had spent the past nine months in detention in Durban arrived here yesterday.

Mr Gabula Ndamse said he had been detained on November 24 last year and released on Tuesday.

He said there were no charges preferred against him. — DDR.

# SP may be holding Island man

Star (329)
11/9/82

By Khulu Sibiya

A former Robben Island prisoner, Mr Wilfred Sebonego Marwane of Emdeni Extension in Soweto, is believed to have been detained by the Security Police yesterday.

His legal representative said Mr Marwane (26), was picked up from his home early yesterday and believed to be held at the Protea police station.

In May, Mr Marwane won an appeal against his conviction and sentence of 15 years' imprisonment, on a charge of contravening the Terrorism Act, imposed in the Supreme Court of Bophuthatswana on November 28 1978.

The Appeal Court in Bloemfontein ruled that the South African Terrorism Act was in conflict with the constitution of Bophuthatswana and therefore not applicable in the homelands.

Police were unable to confirm the detention.

Cont'd tour

PROFESSOR AMES AT CONFERENCE

# How lack of sleep harms detainees

w/e ARGUS 11/9/82 329

By SYLVIA VOLLENHOVEN

**SLEEP deprivation during detention is "appalling and can result in loss of emotional control and psychotic hallucinations", according to Professor Frances Ames.**

Outlining the thrust of an address she will deliver at a Durban conference next week, Professor Ames, who heads Groote Schuur hospital's department of neurology, said keeping detainees awake and disturbing their sleep patterns were the more "subtle techniques" used by the security police.

The three-day conference on detention and security legislation — beginning on Wednesday at the University of Natal — is the first one of its kind in South Africa. The Detainees' Parents Support Committee is mainly responsible for organising it.

PROFESSOR AMES

**INTERROGATION**

Professor Ames will talk about the possible "brain dysfunction" which could result from interrogation techniques used on detainees.

"Till now people have concentrated on environmental manipulation without emphasising the ways that the brain can be affected," she said.

Some points she will discuss are:

● "Alternating sensory deprivation and sensory input". An example of this is a person who is first left to sit quietly — cut off from sensory stimulation — and then interrogated intensely. This is disorientating and upsets the detainee's time sense, says Professor Ames.

● The effect of having to stand for long periods, a "common interrogation technique". Blood pools develop in the body and both the heart output and blood supply decrease, affecting the brain.

**THALLIUM**

● The mysterious disappearance of a former detainee, Sipho Mtimkulu, after he had suffered thallium poisoning.

● Head injuries among detainees. Professor Ames says: "The incidence is very high, there's no question about it".

According to her, repeated head injuries made people "insidiously demented" and "reduced nimble-wittedness".

"What is very alarming is that I'm sure all detainees have their sleep rhythms grossly disturbed," she said.

**CYCLE**

The sleep/wakefulness cycle was essential to maintain normal biological stability or "homeostasis".

"Upsetting that causes profound brain disorder," said Professor Ames.

One of the main speakers at the conference will be Dr Louis West, an American regarded as a world authority on detention methods and the effects of isolation on detainees' evidence.

# THE NIGHTMARE IN DETENTION IS OVER FOR UNIONIST KIKINE

By Barney Mthombothi

SAM Kikine spent the past week pinching himself trying to prove to himself the bad dream was over.

Some strange things have happened to the 34-year-old secretary-general of the South African Allied Workers' Union (SAAWU) in the past 10 months.

Mr Kikine was detained by the Security Police in November last year, one of the first batch to be detained in a nation-wide swoop, which included Transvaal secretary of the African Food and Canning Workers' Union, who later died in detention.

During his detention Kikine was admitted to a psychiatric ward. This later led to an international controversy when the former South African ambassador in Washington, Mr Donald Sole, claimed in a letter to American legislators who were concerned about the treatment of detainees that Kikine was one of those faking illness for publicity purposes.

**Sam Kikine . . . live with it**

After appearing in court nine times during and after detention, he was told by a Durban magistrate a week ago that his troubles were over.

And this week, the trade unionist in an interview at the union offices in central Durban dismissed his ordeal with a wave of a hand. Detention was an occupational hazard for unionists and they would have to learn to live with it.

"It was just victimisation," he said.

Mr Kikine was detained for eight months, charged under the Terrorism Act, released with all charges against him withdrawn, only to be arrested again as he was leaving the courtroom.

He was later released on bail by a Durban magistrate. It is unusual for an accused under the Terrorism Act to be released on bail.

Also unusual was the case of his two SAAWU colleagues, president Thozamile Gqwetha, and vice-president Sisa Njikelane, who were released on bail in East London two weeks ago.

He said his detention and that of the other SAAWU officials was part of a Government strategy to "crush the union federation, which has 22 affiliates.

"But it won't succeed. This whole thing has worked in our favour. The authorities thought that by detaining the leadership the membership would be intimidated. On the contrary this has been a boost to us."

Mr Kikine said more than 10 000 members have joined since the crackdown on the SAAWU leadership.

He said the swoops were part of a two-pronged strategy to deal with "maverick unions like SAAWU" who did not want to register in terms of labour legislation.

The harassment tied up with a document circulated by the Security Police among employers in East London on how to deal with labour unrest in the area.

The document, which became a subject of heated debate in Parliament last year, sketched a joint Government-employer strategy to smash unregistered unions, especially SAAWU, in the area.

The document said two strategies, the short-term and the long-term, should be divised. The short-term stretegy involved paying a living wage to workers and organising all unemployed blacks so that strikers could be fired and replaced immediately by the unemployed.

The long-term solution suggested making union registration obligatory and legally preventing unions from organising in more than one industry.

Mr Kikine described Ambassador Sole's letter to American congressmen, claiming he was feigning illness, as "rubbish."

# Durban visit for top doctor

From Margaret McNally in Los Angeles

S. Tribune 12/9/92

PROFESSOR Louis West has made a life-time career of studying the effects of torture and detention on prisoners.

This week he will be one of the keynote speakers to address the University of Natal's conference on detention and security legislation.

Professor West is chairman of the department of psychiatry at the University of California, Los Angeles (UCLA), head of the university's Neuro-Psychiatric Institute and psychiatrist and chief of UCLA's hospitals and clinics.

Professor West will discuss the phenomenon of false confessions in prisoners, including prisoners of war, political and religious conversions under duress or group pressure, how the independent judgment of people is impaired by means of isolation, deprivation of physical needs, such as sleep and food, the use of drugs that affect the mind, hypnosis pain and the manipulation of the emotions.

Professor West has visited South Africa previously as an expert witness for the defence in the Supreme Court trial in Pietermaritzburg of 10 men charged under the terrorism Act.

Another speaker at the conference will be Dennis Davis of the University of Cape Town's law department.

He will trace the history of the security laws in SA from 1948 onwards and attempt to explain their development.

Other speakers include Professor John Dugard, Professor Tony Mathews, Professor Francis Ames and Professor Sath Strauss.

The three-day conference, which begins on Wednesday, will also include panel discussions with medical and legal experts.

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Stew

# Law used to serve minority white interests'

15/9/82

**Own Correspondent**

DURBAN — The law in South Africa has been used extensively as a tool of power to serve minority white interests, a senior academic said here today.

A senior lecturer in the department of commercial law at the University of Cape Town, Mr Denis Davis, was giving the opening paper at the Detention and Security Legislation Conference at the University of Natal here.

Placing security legislation in its historical context, Mr Davis traced its origins to before the National Party came to power in 1948.

Despite the imperfections of the South African legal system in 1948, he said that civil liberties and the rule of law were still "vibrant concepts" in the political life of the country then.

**RESISTANCE**

Mr Davis said that the mid-1970s had marked the beginnings of a resurgence of organised black resistance.

As this resistance increased, powerful industrial interests had responded by calling for reforms. It was argued that a faster economic growth was needed which could only take place in stable socio-political environment.

It was recognised that for this to occur there had to be increased training and use of skilled black labour and radical improvements in black education.

The Government recognised the need for change, he said, but reform could not be allowed to divide Afrikanerdom "in too irreparable a fashion" while at the same time proving acceptable to a moderate black community.

**REFORM**

"Thus reform will be managed along strict authoritarian lines and in this development, security legislation will play an important role," Mr Davis said.

Asians and coloureds would also have to be co-opted into fulfilling this reformist plan.

"Most of these people will have to confront the challenges of an increasingly radicalised community, so tough security measures will be needed to withstand these challenges," he said.

He warned that as the law continued to be used to coerce and subdue these legitimate political aspirations of the majority, there would inevitably be an increasing alienation on the part of this sector from the law and legal system in general.

"The rule of law and the idea of civil liberties are vitally important if a society is to develop democratically, but the appreciation of these institutions depends on a tradition in which they have operated to the benefit of all.

"For many, such a tradition has been totally destroyed in South Africa," Mr Davis said.

● American Professor Louis West arrived in Durban yesterday on a 10-day visit to South Africa. He will be one of the keynote speakers at the conference.

Professor West is one of the world's leading psychiatrists and an authority on solitary confinement.

# 'Harsh security laws' under fire at conference

(329) Mercury 16/9/82

AT THE conference . . . Mrs Helen Suzman, PFP spokesman on detention, Dr Louis West (centre) a world authority on the effects of detention, from the University of California, and Mr Raymond Tucker.

**Mercury Reporter**

SOUTH Africa's security legislation existed to instil fear in the hearts of ordinary people who might otherwise feel constrained to voice their opposition, Mr Arthur Chaskalson, director of Johannesburg's Legal Resources Centre, said yesterday.

'It is not because South Africa is the object of a worldwide communist conspiracy which has been conducted so effectively that the entire world has been misled in regard to the true situation obtaining to this country.

'That is a myth, and its propagation is an insult to our intelligence,' he said.

## Support

Mr Chaskalson was delivering the opening address at a conference being held at the University of Natal in Durban to examine detention and security legislation.

The security laws enable the State to control the flow of information, to proscribe political opposition and to break up organisations which may be seen to be gaining popular support, particularly within the black community, he said.

'This country is ruled by white South Africans who have organised it in a way designed to ensure that wealth and privilege vests in them.

'Attempts within the black population to mobilise support against white domination have been broken up, repeatedly, and peaceful methods of protest have been curtailed,' he said.

Mr Chaskalson said this had led to violent resistance and the black population, excluded from power within South Africa, had sought allies outside the country and had found them.

## Isolated

'Today, their cause is recognised by the whole world and white South Africa stands isolated, defending itself behind a network of security legislation and military power,' he said.

'But a society which depends for its survival upon harsh security laws will inevitably collapse.

'Laws which frustrate the aspirations of a majority of the population are divisive and to contain the divisions the laws have become increasingly repressive, that in turn hardens attitudes and stirs up revolt,' he said.

Mr Chaskalson said the repressive laws had made people fearful of speaking their minds and voicing their dissent.

# Detainees have 'little real protection'

**Mercury Reporter**

**THERE was very little within present security legislation which provided any degree of protection for detainees, Mr Raymond Tucker said yesterday.**

**Addressing the conference, Mr Tucker who represented Barbara Hogan, in a recent treason trial said: 'Pages of legislation have created a valueless apparatus of review and an illusion exists that the detainee is protected and still has certain rights.**

**'The truth is that what rights still remain only tend to illustrate the extent of the loss of rights and the remedies provided only highlight the absence of any meaningful protection,' he added.**

**Later in the conference, Prof John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, urged that all judges be given equal opportunity to hear trials under the security laws.**

**From a study of the 25 security trials held in the Transvaal in recent years, he said these cases were tried by 12 judges out of the 45 who sat in the Transvaal.**

**Prof Dugard said there was no evidence to suggest that judges who had heard political trials enjoyed any greater expertise on the subject than those who had been overlooked.**

**'On the contrary, several of the judges so overlooked did have some experience in this field of law.'**

**Prof Dugard said the only common denominator for the judges allocated to such trials was that before their appointment they had all been members of the Pretoria Bar, one of the most conservative in the country, and which until recently excluded blacks from membership.**


All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

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# Admissions could be 'tainted'

By Carolyn Dempster

DURBAN — Any confession made under conditions of confinement was "tainted" and should not be accepted by a modern court, Dr Louis. J West, a world authority on the effects of detention, said today.

Speaking at the conference on security legislation and detention in Durban, Dr West said all confessions obtained from people held as captives, were "unreliable unless supported by physical evidence."

"If the captor has control of somebody for long enough, he will eventually get him to comply — or die," Dr West said.

A study of United States pilots who were prisoners of war in the Korean War showed that many who had admitted to dropping germ bombs were coerced into making false statements through brainwashing.

This included techniques used by the Chinese similar to those described by detainees held under South African security legislation, Dr West said.

Syndromes were observed among the pilots which had since become known as DDD (debility, dependency and dread).

Debility was created when the captive was deprived of sleep, exhausted physically, or placed on an inadequate diet. The worst of these was deprivation, which led to mental changes, misconception, amnesia and memory distortion.

Under these conditions the captor was able to induce the captive to tell him all he wanted to hear, or that which the captive thought the captor wanted to hear, said Dr West.

This method of inducing compliancy had been used by the Spanish Inquisition, the Russian Tzars, and the Chinese — so it was not new, he added.

Dependency was created when the prisoner became totally dependent on his captor for physical and social requirements.

"People are always confessing to crimes they didn't do," said Dr West.

● See Page 21.

# Confessions in solitary tainted — expert

MARCUS 16/9/82 329

Argus Correspondent

DURBAN. — Any detainee's confession produced under conditions of solitary confinement was "hopelessly tainted" and no modern court of law should ever accept it.

This was said here today by the internationally renowned psychiatrist, Dr Louis J West, at the Detention and Security Legislation Conference at the University of Natal.

Dr West, who has studied the psychological effect of solitary confinement on prisoners for 30 years, described these effects as "d d d" — debility, dependency and dread.

Debility involved the physical wearing down of detainees through methods such as sleep deprivation. This generally induced misperceptions of reality and extreme suggestibility.

INCARCERATION

The process by which the prisoner began to depend on the interrogator began almost immediately, especially if the prisoner was isolated from others.

Feelings of dread were induced in many ways. These included the fear of permanent incarceration, the threat of physical injury and concern for loved ones outside the prison.

Against this background, induced confessions were always unreliable unless "they could be substantiated by objective physical evidence".

"It is possible for the captor to create an elaborate tissue of lies and deceit out of absolutely nothing by inducing a confession from a detainee in this way," Dr West said.

Associated Press.

# 'Select few' try security cases

Star 16/9/82 329

**Carolyn Dempster reports from Durban on the conference on detentions and security legislation.**

A definite pattern had emerged of a select few Transvaal judges handling trials of a political nature, said prominent human rights lawyer Professor John Dugard at a conference on detention and security legislation in Durban yesterday.

The evidence gleaned from a study of security trials in the Transvaal between 1978 and 1982 showed that, in effect "17 percent of the Transvaal judiciary heard 84 percent of the cases in question."

In plain figures, the 25 trials of people charged with treason, terrorism, sabotage or serious offences under the old Internal Security Act 44 of 1950, were heard by 12 of a possible 45 judges. Thirteen of the cases were heard by four judges.

There was no evidence to suggest the judges who heard political trials were endowed with greater expertise than other members of the Transvaal judiciary or that their common denominator was seniority.

"Those appointed to preside over political trials ranged from the most senior to those only recently appointed," Professor Dugard reported.

The one factor

**Professor Dugard . . . study spans four years.**

showed by these judges was that all had been members of the Pretoria Bar before their appointments to the bench, Professor Dugard's study revealed.

"The Pretoria Bar is seen by many as one of the most conservative Bars in the country. It seldom — if ever — condemns oppressive security laws and until very recently it constitutionally excluded blacks from membership," said the professor.

Professor Dugard, who heads the Centre For Applied Legal Studies in Johannesburg, was echoing the words of Mr Sydney Kentridge SC.

In an address at the University of the Witwatersrand last month Mr Kentridge commented: "In certain parts of the country it has become obvious that trials of persons charged under security laws are usually heard, not at random, but by only a section of members of the Supreme Court Bench."

Professor Dugard also made the observation that "in recent times a similar pattern to that in the Transvaal seems to be emerging in the Appellate Division where matters affecting the security of the State are concerned."

# Tucker hits 'illusion'

329 Star 16/9/82

**DURBAN — Pages of security legislation created the illusion that a detainee was protected and had certain rights but, in fact and effect, there was little protection, Johannesburg Attorney Mr Raymond Tucker told delegates to the Detention and Security Legislation conference in Durban yesterday.**

**"The truth is that what rights remain tend only to illustrate the extent of the loss of rights and the remedies provided highlight the absence, in reality, of meaningful protection," Mr Tucker said.**

**In a review of the new detention legislation contained in the 1982 Internal Security Act, Mr Tucker attacked the "smokescreen" of protective legislation saying that, in most cases, the detainee's fate rested in the hands of a benevolent Minister.**

**Although the courts were not totally excluded — they were entitled to determine if the detention was in accordance with the relevant section — they had no jurisdiction to pronounce on the validity of any action taken under a section of the Act or to order the release of a detainee.**

**This principle — of keeping the courts as far as possible from detainees had been part of security legislation since 1963, Mr Tucker said.**

**When the detention laws were introduced it was specifically provided that no court should have jurisdiction to order a release from custody.**

**Delegates discussed how best to use the few legal avenues open to detainees and bring about change and decided:**

- **That a Bill of Rights would automatically guard against excessive abuses.**
- **Greater publicity should be given to detentions, conditions and abuses.**
- **Detainees should be made aware of their rights — one of which was that they did not have to make any statements.**

# Reform may bring harsher security laws

329 Star 16/9/82

South Africa may face even harsher security measures if the Government is to "manage" reform on its own terms, delegates attending the conference in Durban were warned by a leading academic, Dr D Davis.

Dr Davis, a senior lecturer in the Department of Commercial Law at the University of Cape Town, said it had been historically shown that if the interests of the State required the curtailment of the rights of the individual or of certain groups, then this would be carried through.

"Thus reform will be managed along strictly authoritarian lines, and in this development security legislation will play an important role."

Pointing to the way in which security laws had already been used to "manage" or control reform, Dr Davis highlighted trade union activity.

"Trade union activity has been promoted via the recommendations of the Wiehahn Commission and then cut back by the widespread security police action against prominent trade unionists."

"Reform needs to be introduced in a manner which any proposals will not divide Afrikanerdom in too irreparable a fashion, and at the same time will prove acceptable to a moderate black community who are perceived as being intimidated by minority groups opposed to the Government."

By employing security legislation to channel the development of reform, the Government would be extending the coercion already practised for 30-odd years. But as Northern Ireland had shown "persistence in a policy of general coercion is likely to ensure that a state of instability will continue."

In a more direct attack on the destructive nature of South Africa's security legislation, Mr Arthur Chaskalson SC said white South Africa stands isolated, defending itself behind a network of security legislation and military power."

After 20 years the extent of the repression was more apparent. South African society had become increasingly divided, brutal and authoritarian. "But," he added, "a society which depends for its survival upon harsh security laws will inevitably collapse."

Professor Tony Matthews of the Natal University's Law Department said the price of enforcing security legislation on its present model was likely to be greater disorder and insecurity.

# Detained man released

ZWELITSHA — A former Robben Island political prisoner who had been in detention in Ciskei since March was released by the police at the end of the Terrorism Act trial in the Supreme Court yesterday.

Mr William Qwati, 73, of NU3, Mdantsane, said he had been in detention since March 5 this year.

He was not called as a witness.

During the course of yesterday's proceedings in the terrorism trial he was brought into the witness box by mistake by police.

Advocate J. Langeveld for the state told the court that the wrong man had been brought in.

Mr Qwati was released from Robben Island in 1969 after serving three years for ANC activities. He originally came from Port Elizabeth but was resettled in Mdantsane on his release in 1969 and served with a two year banning order. On its expiry he was served with a three-year restriction order.

Mr Qwati was happily reunited with his wife who had been attending court for the last three days. — DDR.

# Aggett reference deleted

By STEVEN FRIEDMAN
Labour Correspondent

A RESOLUTION condemning detention without trial, which is due to be discussed at next week's conference of the Trade Union Council of South Africa, has been redrafted to delete a reference to Dr Neil Aggett.

The resolution has also been changed to omit a call on the Government to leave labour relations to "its legitimate practitioners".

It is proposed by the Garment Workers Union, whose president, Dr Anna Scheepers, is also president of Tucsa.

The redrafting follows a row earlier this year between Tucsa and emerging trade unions when Tucsa general secretary Mr Arthur Grobbelaar issued a statement attacking the protests which followed Dr Aggett's death.

Dr Aggett worked on an emerging union.

According to the agenda for the Tucsa conference, which begins in Cape Town on Monday, the Garment Workers Union originally proposed a resolution noting its "alarm" at Dr Aggett's death.

The original resolution read: "Noting with alarm the death in detention of trade unionist Dr Neil Aggett, this Conference reiterates Tucsa's belief that detention without trial is an unacceptable intrusion into the rule of law.

"In order to strengthen respect for and confidence in the judiciary and other democratic institutions, Conference calls on the Government to resort to the normal processes of law in all cases.

"It further urges that unless criminal charges can be brought against alleged offenders, the field of labour relations should be left to its legitimate practitioners."

According to the agenda, the union has submitted an amended resolution.

"Noting with alarm the reports of abuse of detainees and the deaths in detention of detainees, Conference reiterates Tucsa's belief that detention without trial is a departure from the normal processes of law.

"In order to strengthen respect for and confidence in the judiciary and other democratic institutions, Conference calls on the Government to resort to the normal practice of prosecuting those who have committed an offence, or to release them forthwith," it reads.

Appl. Times ES. 16/9/82

# Detention review board 'charade' 329

**Own Correspondent**

DURBAN . — There was very little in present security legislation which provided any degree of protection for detainees, a lawyer, Mr Raymond Tucker, said yesterday.

Addressing a conference on detention and security legislation yesterday, Mr Tucker, who represented Barbara Hogan in the recent treason trial, said "pages of legislation have created a valueless apparatus of review and an illusion exists that the detainee is being protected and still has certain rights".

"The truth is that what rights still remain only tend to illustrate the extent of the loss of rights and the remedies provided only highlight the absence of any meaningful protection."

Earlier, Mr Tucker said much had been said of the newly-created Review Board "as if the safety and the well-being of detainees would be assured by it".

## Bureaucratic process

"In fact what the legislature has purported to do is set up a bureaucratic process which takes the form of a kind of review procedure but is nothing of the sort.

"A charade is being played and the Chief Justice is forced to play his role in the game," he said.

Mr Tucker said the fact of the matter was that no Minister of Justice would ever interfere with what the Commissioner of Police said.

Later in the conference, Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, urged that all judges on the bench be given equal opportunity to hear trials under the security laws.

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3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

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# Biko: 2 policemen named

D: Rand Daily Mail 17/9/82

LONDON — Two South African policemen have been named in a British newspaper as the men who should be prosecuted as a result of the death in detention of Steve Biko.

The policemen were named in a report which quoted Mr Donald Woods, the former Editor of the Daily Dispatch, who is living in self-exile.

Mr Woods is banned and may not be quoted in South Africa. The naming of the two policemen occurred in a report on the front page of the newspaper, the Observer.

September 12 was the fifth anniversary of the death in detention of the black consciousness leader.

Replying to the report, a member of the South African Police directorate of public relations in Pretoria said: "These unfounded allegations are nothing new.

"You are referred to the findings of the inquest."

Mr Marthinus Prins, the chief magistrate of Pretoria, found on December 2, 1977, that the evidence at the inquest hearing did not prove the death of Mr Biko was brought about by any act or omission involving an offence by any person. — DDC.

329



# Detainees: Head injury warning

Own Correspondent

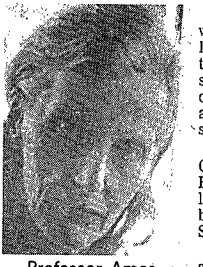
**DURBAN. — Repeated minor head injuries which frequently occurred during detention could lead to irreversible brain damage, Professor Frances Ames, professor of neurology at the University of Cape Town said yesterday.**

Addressing delegates at a conference on detention here, Professor Ames said the incidence of head injuries was high among detainees.

"It is extremely unlikely that police officers are encouraged to inflict severe head injuries on detainees but the dangers of this happening cannot be ignored in a situation where a detainee's frustration tolerance has been lowered by suffering so that he may provoke assault.

"The vigour with which he may be subdued may be excessive.

"However, repeated minor head injuries can lead to features of the punch-drunk syndrome which may not be recognized before irreconcilable damage has occurred."



Professor Ames

Profesor Ames also related to delegates 'the disquieting experience" of recently encountering thalium poisoning in a political detainee.

This heavy metal, which was odourless and tasteless, not only damaged the peripheral nervous system causing a great deal of limb pain but also affected the brain, she said.

The chairman of the Civil Rights League, Mr Brian Bishop, said the political detainee who had been poisoned was Mr Siphiwo Mtimkulu.

Soon after his release, and while undergoing treatment, Mr Mtimkulu had mysteriously disappeared, Mr Bishop said.

It had been claimed that he had fled to Lesotho because his car had been found near the border, said Mr Bishop.

But, due to injuries which Mr Mtimkulu claimed were sustained during his detention when he had been made to stand on upturned bricks for 12 days, Mr Bishop said, it would not be possible for him to walk across the border because he had been crippled.

# Biko: Policemen named

TWO South African policemen have been named in a British newspaper as the men who should be prosecuted as a result of the death in detention of Steve Biko.

The policemen were named in the report which quoted Mr Donald Woods, the former editor of the Daily Dispatch who is living in exile.

Mr Woods is banned and may not be quoted in South Africa. The policemen were named in a report on the front page of the London newspaper The Observer at the weekend.

September 12 was the fifth anniversary of the death in detention of the black consciousness leader.

Replying to the report, a member of the South African Police directorate of public relations in Pretoria said: "These unfounded allegations are nothing new. You are referred to the findings of the inquest."

Mr Marthinus Prins, the Chief Magistrate of Pretoria, found on December 2, 1977, that the evidence at the inquest hearing did not prove that the death of Mr Biko had been brought about by any act or omission involving an offence by any person.

Death had been brought about by head injuries, with extensive brain injuries, followed by complications leading to renal failure.

329

# Security laws in the dock

By Carolyn Dempster

DURBAN — Dissected, examined and analysed by 200 delegates drawn from all levels of South African society, South Africa's security laws did not survive the scrutiny.

"Harsh, unjust and arbitrary," were just a few of the terms used to describe the security legislation.

It was acknowledged that the treatment of detainees is open to wide abuse, and in the end result the "truth" obtained from detainees under conditions of detention in the form of confessions or statements is highly unreliable as evidence in court.

But despite this, out of an otherwise gloomy analysis there emerged a consensus of hope for the future. "Individuals can bring about change," concluded Advocate Zak Yacoob of the Durban Detainees' Support Committee.

**UNTENABLE**

In essence, change became the focus of the conference. Whether the Emphasis moved from proposals for statutory change, to demands for attitudinal and ethical change, it was felt by the majority of delegates that the present situation is untenable and a concerted effort should be made to bring about a change.

Among the major issues raised by prominent lawyers, advocates, and academics were:

- Historically it has been proven that deprivation of freedoms and repressive control by security measures will elicit even greater instability and insecurity. This was raised by both Dr Dennis Davis of the University of Cape Town and Professor A Matthews of the University of Natal.
- A society which depends for its survival upon harsh security laws will inevitably collapse.
- In some measure we are all responsible for what has happened in South Africa.
- Allowing the screw to be tightened, until a comprehensive and terrifying body of laws, enabling a white minority government to rule by force, has been well established.
- Protection afforded detainees in the legislation is largely a "smokescreen" and of little practical value.
- There is an urgent need for leadership in the judiciary to ensure equitable handling of security trials.
- Large numbers of people have been convicted of "political crimes" on the evidence of detainees or persons who have spent long periods in detention.

**"Confessions induced under these conditions are tainted, and should never be accepted in a modern court"— Dr Louis West, a world authority on the effects of detention and isolation.**

In the strongest attack yet on the reliability of detainees' evidence and, consequently, its admissibility in court, Dr Louis J West, a world authority on the effects of detention and isolation, told the conference: "Confessions which are induced under these conditions are tainted and should never be accepted in a modern court."

Backing up his analysis with practical examples, Dr West provided a substantial case for South African courts to reject such evidence in future — something they are fully empowered to do.

Advocate C Nicholson, of the Durban Legal Resources Centre, in a paper on the subject also questioned whether the frequent acceptance by judges of such evidence did not "induce the authorities to proceed by irregular methods."

For a brief session, delegates were sharply reminded of the practical impact of detention when a panel of ex-detainees recounted their experiences.

All alleged that extremely harsh interrogative methods were used to prise information. These methods included the use of electric shock "treatment," sleep deprivation, food deprivation and solitary confinement.

All three individuals were acquitted — even though some had been coerced into making statements.

It was also shown the rights of detainees are distorted by circumstance. Mr Brian Bishop of the Cape Town Civil Rights Association said it was unlikely the detainee would complain of abuse to the district surgeon when the interrogator was present or asked the detainee subsequently: "Why did you complain?"

**DOCTORS**

It was acknowledged by the medical representatives at the conference that insufficient protection or support was given to district surgeons in the exercise of their duty in view of the authority wielded by the Security Police in this situation.

The medical profession was challenged not to rest "until torture is eradicated in all its forms from the South African jail and detention system."

Summing up the conference, Advocate Yacoob commented: "I hope it represents one step in the direction of democracy in South Africa."

# Doctors urged to help reform jail care for detainees

ARGUS 17/9/82 329

**Argus Correspondent**

DURBAN. — A doctor at the Detention Conference here yesterday said the medical profession should involve itself in the responsibility for reforming the conditions and care for detainees.

Dr P I Folb, speaking for a group of doctors concerned with health care in South African jails, said the Medical Association of South Africa was a signatory to the Declaration of Tokyo, which had a commitment to refuse to condone or take part in torture.

Solitary confinement, he said, was tantamount to torture and it was time for the entire medical profession to involve itself in the responsibility for reform.

He recommended that the medical authorities in South Africa adopt the American Medical Association's standards for health services in jails.

**CONSTANT REVIEW**

These requirements were: "That no one should have the power to overrule a doctor's judgment, that the rights of detainees to medical care should be statutorily defined, that there should be adequate medical facilities available, that the ever present possibility of suicide should be stringently guarded against, and that medical standards should come under constant review."

He also recommended that an independent review committee should be established to offer protection and assistance to the district surgeon and detainees.

Dr Folb said: "None of these recommendations can be achieved without legislation, and it is mandatory that such standards should not only be adopted by the medical profession, but also protected by courts of law."

# Evidence 'suspect beyond redemption'

ARGUS 17/9/82 329

**Argus Correspondent**

DURBAN. — An advocate has questioned whether some judges are not encouraging bad interrogation techniques by police through accepting the evidence of detainees.

Mr Chris Nicholson of the Durban Legal Resources Centre said yesterday that many people had been convicted of political crimes on the evidence of witnesses who had spent long periods in detention.

He asked whether acceptance of evidence of detainees by the courts was not acting as a positive inducement to the police to use irregular methods.

**INDEFINITE**

Section 29 of the new Internal Security Act allowed for a detainee to be held until he had satisfactorily replied to all questions put by his interrogator, Mr Nicholson said.

"The question which arises is how a police officer can sit in judgment over a detainee and determine when he has given satisfactory answers?"

Mr Nicholson said Parliament had given police free rein to operate "without interference from the courts".

**COERCION**

"Even if the detainee lies and states he was well treated, one can generally infer that he must have been, at the very least, coerced if he made a confession following solitary confinement.

And according to American law, coerced testimony was inherently unreliable and "suspect beyond redemption".

"By rejecting evidence from detainees out of hand, except where other non-detainee evidence supports it, our courts would not be breaking fresh ground, but merely keeping pace with accepted standards.

"A trial based on evidence obtained entirely from detainees cannot result in justice in the real sense."

# Prof says solitary confinement 'is tantamount to torture'

(329) Mercury 17/9/82

PROF AMES ... 'dangers cannot be ignored'

**Mercury Reporter**

THE medical profession could not rest until the practice of solitary confinement had been eradicated because it was tantamount to torture, Prof P Folb of the University of Cape Town's Medical School said yesterday.

He was presenting a paper on behalf of a group of doctors at a conference on detention and security laws at the University of Natal in Durban.

'We maintain that provisions under the law whereby people may be detained for interrogation without time limit, kept in isolation and not permitted visits by his or her family, lawyer or doctor are potentially injurious to the physical, mental and social well-being of people held in such custody,' Prof Folb said.

As such, these provisions were incompatible with 'the safe and humane' protection of a detainee.

Prof Folb called on the 'higher authorities' to establish an independent review committee in order to offer protection and assistance to prisoners and detainees.

'This should be made up of private practitioners, legal advisers and lay citizens who would automatically review any medical treatment given to prisoners, and also deal independently with any complaints.'

He also urged that a code of conduct be established for interrogators.

Earlier Prof Forb said 'the judgement of the medical practitioner caring for the prisoner should be paramount and nobody should have the power to overrule his judgement'.

Also, he said, the dangers of injury and depression resulting from isolation could not be too greatly emphasised and, in consequence, the ever-present possibility of suicide must be stringently guarded against.

'None of these recommendations can be achieved without legislation, and it is mandatory that such standards should not only be adopted by the medical profession but also protected by the courts of law,' he added.

## Minor head injuries 'can damage brain'

**Mercury Reporter**

**REPEATED minor head injuries which frequently occurred during detention could lead to irreversible brain damage, Prof Frances Ames, professor of neurolgy at the University of Cape Town said yesterday.**

**Prof Ames told the conference that the incidence of head injuries was high among detainees.**

**'It is extremely unlikely that police officers are encouraged to inflict severe head injuries on detainees, but the dangers of this happening cannot be ignored in a situation where a detainee's frustration tolerance has been lowered by suffering so that he may provoke assault.**

**'The vigour with which he may be subdued may be excessive,' she said.**

**'However, repeated minor head injuries can lead to features of the punch-drunk syndrome, which may not be recognised before irreconcilable damage has occurred.'**

**Prof Ames also related to delegates 'the disquieting experience' of recently encountering thalium poisoning in a political detainee. This heavy metal, which was odourless and tasteless, not only damaged the peripheral nervous system, causing a great deal of limb pain, but also affected the brain.**

**'It seems inconceivable that anyone could use it deliberately on another human being,' she added.**

**Later in the conference a member of Cape Town's Civil Rights League, Mr Brian Bishop, said the political detainee who had been poisoned had been Mr Siphiwo Mtimkulu who had spent five months in detention in Port Elizabeth last year.**

**Soon after his release and while undergoing treatment, Mr Mtimkulu had mysteriously disappeared, Mr Bishop said.**

**Mr Bishop said it had been claimed that he had fled to Lesotho because his car had been found near the border.**

**But because of injuries sustained during his detention when, said Mr Bishop, he had to stand on bricks for 12 days, it would not have been possible for him to walk across the border because he had been crippled.**

**Mr Bishop said he had been to Lesotho to try to find Mr Mtimkulu, but there was no sign of him.**

## American slams confessions

**Mercury Reporter**

ANY confession gained under the circumstances of detention would be irredeemably tainted and should not be admitted in a court of law, Dr Louis West, professor of psychiatry at the University of California, said yesterday.

Based on his experience with American flyers who had made confessions to their captors during the Korean war, Dr West described the psychological effects of confinement as debility, dependency and dread.

These would be able to induce a person to make false statements without any real physical torture, he told the conference.

He said debility was the wearing down of a person physically by fatigue, painful exercises and inactivity while being confined in a small place.

'The most important of these was sleep deprivation. Any person kept awake long enough will develop mental change which include suggestibility and could induce a false statement.

'In a legal system which required and expected confessions, expertise becomes mighty polished and does not rest on theory but on police practice,' he said.

Dr West said that under conditions of isolation the captive would come to depend on his captor for social intercourse and would begin to regress emotionally, become infantile and would want to please his captor.'

Dr West added that visits by policemen or other officials in no way relieved the loss of ordinary social support and it merely meant that the detainee had more people with whom to identify.

One of the major fears, he said, was the fear that captivity would continue indefinitely.

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# Inquest into Aggett's death to resume

(329)

S. Express 19/7/82

By ARLENE GETZ

THE inquest into the death of trade unionist Dr Neil Aggett, the 46th person to die in Security Police detention, resumes tomorrow after a postponement of more than two months.

Dr Aggett was found hanged in his John Vorster Square cell on February 5 this year.

Fourteen hours earlier he had compiled an affidavit complaining of Security Police assault and torture, alleging that during a 62-hour interrogation session he was allowed only 11 hours sleep and had been given electric shocks.

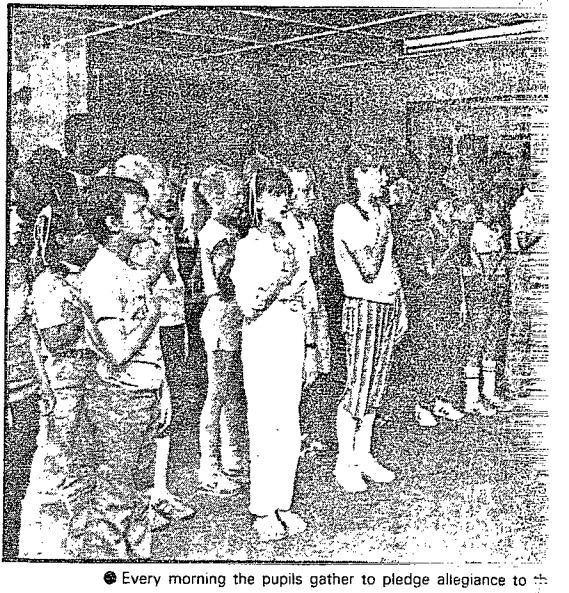
According to Mr George Bizos, SC, counsel for the Aggetts, the family would not concede suicide. Their alternative was that Dr Aggett's death was induced suicide — a crime in South Africa.

According to State advocate Mr P J Schabort, SC, the inquest was turning into a commission of inquiry into South Africa's security legislation.

The inquest has highlighted Security Police interrogation methods and has raised questions as to whether inspectors of detainees have adhered to requirements that they visit detainees once a fortnight.

Inspectors of detainees were appointed after the 1977 death in detention of black consciousness leader Mr Steve Biko, but Brigadier Hendrik Muller, chief of the Johannesburg Security Police, told the inquest he had never seen an inspector during his six years as head of the department.

# Education t for US chil



● Every morning the pupils gather to pledge allegiance to

**AN all-American school for children of United States couples opened in Sandton last week — the start of the US school year.**

The International American School in Morningside has 80 pupils and was organised by a group of parents in six weeks.

Once a large, single-storey private home, its rooms have been converted to bright, cheerful classrooms. A big enclosed stoep has become the assembly area and the large grounds include a tennis court and swimming pool.

The school is run by Mrs Bennie van Vuuren, who was born in the US and is married to a mining equipment company executive.

Mrs van Vuuren, who has lived in South Africa for eight years, has 20 years of experience in American education.

The estimated cost of running the school for the first term is R75 000, much of which will be paid from substantial donations, both in cash and equipment, given by American and South African companies.

The school is staffed by 13 American teachers who teach from a curriculum provided by the University of Nebraska's High School.

Pupils will not sit for examinations but will be given evaluation tests at the end of their school year in June, and on passing them, will qualify for enrolment at any school in the US or any international American school.

Classes are divided into three sections — grade four for primary and pre-school children, grades five to eight called 'middle school' and grades nine to 12 which comprises the high school.

The school has two pupils in grade 12 who will graduate at a ceremony at the school next year.

Getting the school ready for its first term was a team effort by parents and pupils. Parents and children painted walls, scrubbed floors and cleaned up the grounds of the huge old house in Rivonia Road.

The school has only American pupils now but children of other nationalities whose parents work on contract for American companies in South Africa will also be able to enrol.

## SNEAKERS AND JEANS ARE THE UNIFORM IN THIS SANDTON SCHOOL

By DEBRA CLEVELAND

Parkmor
Paving & Pools
EST: 1969

(30) S. Tribune 19/9/82

# SA can drop harsh security measures

## TOP US ACADEMIC GIVES LOW-DOWN ON DETENTIONS

**SOUTH Africa could afford to suspend the harsh application of its security laws without increasing the threat to the country's national security, Professor Louis West, an international authority on the effect of detentions, told the Sunday Tribune this week.**

By STAN MAHER

Dr West was the keynote speaker at this week's watershed conference on detention and security legislation, at the University of Natal in Durban, organised by the Departments of Extra Mural Studies and of Public Law.

More than 150 doctors, lawyers and senior academics gave him an ovation after hearing his hard-hitting but unemotional speech on research into the effects of isolation on detainees.

The distinguished American professor of psychiatry watched as former detainees rolled about on the floor of a university lecture theatre, demonstrating what they alleged had happened to them under security police interrogation, including assaults and electric shock treatment.

In an interview afterwards, Dr West told the Tribune:

● There is a communist conspiracy against South Africa and vigilance is required to combat it.

● Despite this fact, the Government would be wise to curb any brutality taking place in interrogations because "it will get better results without such methods."

He said information obtained in this was "hopelessly unreliable."

Dr West is no hysterical radical. He sharply rebuked a delegate who told the conference that South Africa was not a normal country and could be compared with Nazi Germany.

"If this was Nazi Germany," said Dr West, "we would not be allowed to hold this conference."

Nevertheless, he told the Tribune, detention without trial, especially if it was accompanied by extreme methods of interrogation, was "self-defeating in the struggle against communism".

Professor West, who is professor of psychiatry at the University of California, Los Angeles (UCLA) said: "I don't for one moment dismiss the threat of sabotage and subversion. There is a reelntless pressure on all Western countries from the communist world. But there are better ways to combat it than by resorting to strong-arm methods.

"Detention without trial tends to politicise and radicalise people. Fairness on the part of a government takes the wind out of the sails of the revolutionaries.

"When you detain and isolate someone without trial you are meting out a worse punishment than we reserve for people convicted of murder, who are still allowed to see their families and lawyers.

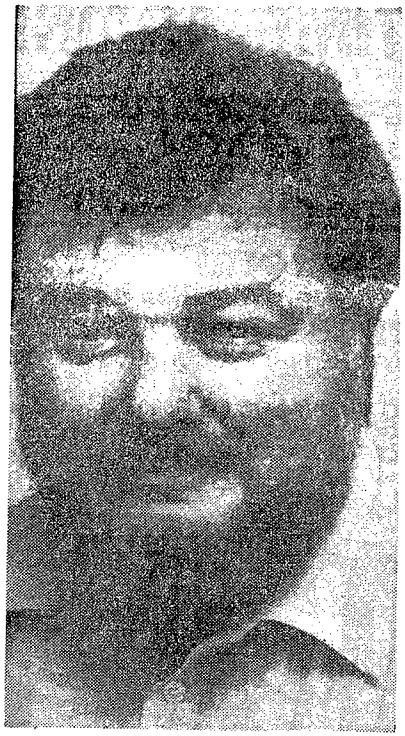
"It is unfair — and fairness counts. Part of what every government has to provide, along with security, is a guarantee of fairness.

"It makes police work a little harder, but its benefits to the country are greater. I believe detention without trial is militating against South Africa's national interests already."

Dr West said it was a lesson of history that "in the long run, torture isn't a good idea. Paying attention to fairness makes the job of the police more difficult, but it has fewer disadvantages in terms of what you have to live with."

He said it "does not necessarily follow" that because the Government was fighting a highly-motivated ideological enemy, such as the African National Congress, that it was forced to resort to extreme methods.

"That is not the finding of modern scientific security forces in other countries," he said.



Prof West . . . detentions expert

# Detainees: Prof West's DDD syndrome

**THIS is the DDD — Debility, Dependency and Dread — syndrome which Dr Louis West told delegates at the conference on detention and security laws happens to every detainee who is interrogated while being kept in isolation:**

**DEBILITY means bringing the prisoner down physically. It can occur through painful exercise, inactivity, inadequate diet, illness not properly treated and through sleep deprivation.**

**"All interrogators in hostiry have kept people awake for long periods to get them to confess," Dr West said. "Chronic sleep deprivation will develop mental changes which include suggestibility, misperceptions of reality, distortions of recall and will induce the prisoner to tell his captor whatever he wants to hear."**

Tribune Reporter

**DEPENDENCY occurs the moment a person is detained, because "he is dependent on his captor for life. It is more effective if the person is isolated because he is then also dependent on the captor for social intercourse.**

**"Because all the power rests with the captor, the process of identification with the aggressor begins. He begins to look for things in his captor with which he can identify. This leads to startling behavioural abberations — like Jews in Nazi camps picking up scraps of SS uniforms and attaching them to their rags."**

**The prisoner becomes childlike, wanting to please and is reduced to infantile helplessness, he said.**

**DREAD is the pervasive fear the prisoner feels. This includes fear of being detained indefinitely — "a terrifying thing" — and fear of being abused or assaulted.**

**Dr West said research showed that detainees could be hypnotised without even being given a specific suggestion, because the demand characteristics of the situation brought this about.**

**The detainees' captors, too, were subject to the situation. "He is likely to hear what the prisoner thinks his captor wants to hear."**

**Dr West said policemen in most countries were decent, hard-working people who often felt they were protecting people against bad elements of society — "whether we appreciate it or not."**

**He warned that "this line of work will attract a few sadists and the situation will elevate people who produce what is thought to be the desired results."**

**But he said carrying out brutal activities was not a healthy way of life and urged that systems encouraging this shou'd be [illegible]**

# Crucial phase in Aggett inquest

Mail Reporters

THE inquest on trade unionist Dr Neil Aggett, who died in detention, reopens today with a crucial decision on the admissibility of key documents.

The magistrate Mr Petrus Kotze adjourned the case in the Johannesburg Regional Court 10 weeks ago, saying he would decide before the reopening whether the "dozens of pages" of documents could be used.

Major Arthur Cronwright, head of the Security Police at John Vorster Square, told the court a 62-hour interrogation of Dr Aggett had yielded these documents, which were secret because they had been obtained while Dr Aggett had been held under Section 6 of the Terrorism Act.

He said he had not shown the documents to the Attorney-General, officers of the court or the Aggett family lawyers because the investigation was not complete.

Maj Cronwright said the documents would implicate a "very respected person in this court today" who had links with the Communist Party.

Dr Aggett, Transvaal Secretary of the Food and Canning Workers' Union, was found hanged in his cell at John Vorster Square on February 5 after complaining of assault at the hands of Security Police.

Mr George Bizos SC, for the Aggett family, told the court he would argue that Dr Aggett had died as a result of induced suicide — a crime in South Africa.

# Aggett depressed, claims witness

329 Star 20/9/82

A former detainee, Mr Keith Coleman, said today that he noticed a change in Dr Neil Aggett during the week before he died in detention.

Mr Coleman was giving evidence in the inquest into Dr Aggett's death which resumed in the Johannesburg's Magistrate's Court today.

He said he had seen Dr Aggett twice during his last week alive.

"I saw him through the window of my cell. I banged on the window and said hello. Generally, when detainees walk through the corridors, they look left and right but he did not and did not respond in any way," Mr Coleman said.

Mr Coleman said he had seen Dr Aggett several times previously in the corridors or in the shower and Dr Aggett had appeared to be in good spirits. Dr

To Page 3. Col 4

# 'Aggett was depressed'

329 Star 20/9/82

From page 1

Aggett had been alert and keen to talk.

In December, last year, Dr Aggett had told him his privileges had been withdrawn to put pressure on him and he had passed cigarettes and food to Dr Aggett.

Miss Yvette Breytenbach earlier testified that Dr Aggett was physically fitter in detention than he was before he was arrested.

She told the magistrate, Mr P A J Kotze, that she had become a friend of Dr Aggett in the months before he was detained.

She was giving evidence at the resumed inquest into his death on February 5.

Present at the inquest were Mrs Helen Suzman, Progressive Federal Party MP for Houghton, Dr Aggett's parents, Mr and Mrs H E A Aggett, his sister, Mrs Jill Burger, and his girlfriend, Dr Liz Floyd.

Miss Breytenbach said she first met Dr Aggett in July 1979. Although she became a close friend, they were not lovers.

She was allowed to visit him for a half hour on the 10th floor of John Vorster Square last December 23. On that occasion he looked physically and mentally well.

"We actually joked about the fact that Neil was fitter in detention than he had been before his arrest," she said.

During the visit, a Lieutenant Whitehead monitored their conversation, and she did not feel relaxed.

Mr P A J Kotze, assisted by Professor L S Smith, presided. Mr G Bizos and Mr D Kuny appeared for the Aggett family. Mr P J Haasbrook, SC, and Mr A P de Vries, appeared for the state. Mr P J Schabort, SC, appeared for the Minister of Law and Order, the South African Police, the South African Transport Services, and the South African Railways and Harbours Police.

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Sowetan

20/9/82

# Church worker taken in

A EMPLOYEE of the Anglican Church candle producing project in Soweto was last week taken away by police for questioning after he and forty other workers had downed tools in protest against what they called "job-for-sex" treatment.

The head of the police in Soweto, Brigadier D J J Jacobs, confirmed yesterday that Mr Vusi Sekwakwa had been taken in for questioning after a "tussle" with his boss at the factory at the Anglican Church in White City Jabavu.

Brigadier Jacobs said the man had not been charged but he could not say if he had been released or was still being held. He described the incident as "nothing serious" and said order had been restored at the factory.

A worker at the factory told The SOWETAN that the police were called in after they had downed tools in protest against the dismissal of another worker, Miss Lizzy Mabaso, who had allegedly been fired because she had turned down "love proposals" made to her by a certain official while she was at work.

The worker claimed that Miss Mabaso had been demoted from her position as supervisor after she had repeatedly rejected the official's love pleas. On Wednesday morning she had been told that she had lost her job. No reason was given for the dismissal, the worker alleged.

# DETENTION AND FEAR

## Whites rule the roost

**SOUTH AFRICA'S security legislation existed to instil fear in the hearts of ordinary people who might otherwise feel inclined to voice their opposition, says Mr Arthur Chaskalson, director of Johannesburg's Legal Resources Centre.**

Mr Chakalson was delivering the opening address at a conference at the University of Natal in Durban to examine detention and security legislation at the end of last week.

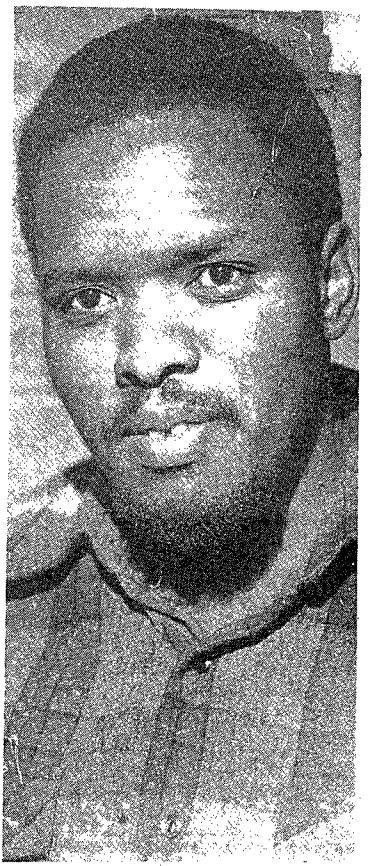
"This country is ruled by white South Africans who have organised it in a way designed to ensure that wealth and privilege vests in them," he said.

"Attempts within the black population to mobilise support against white domination have been broken up, repeatedly, and peaceful methods of protest have been curtailed.

"Today, the black cause is recognised by the whole world and white South Africa stands isolated, defending itself behind a network of security legislation and military power.

"But a society which depends for its survival on harsh security laws will inevitably collapse," he said.

"Laws which frustrate the aspirations of a majority of the population are divisive, and to contain the divisions, the laws have become increasingly repressive, that in turn hardens attitudes and stirs up revolt," he concluded.



STEVE BIKO: South Africa's legendary death in detention.

## 'Absence of protection'

**THERE WAS very little within present security legislation which provided any degree of protection for detainees, says a Johannesburg attorney, Mr Raymond Tucker.**

Addressing a conference, Mr Tucker, who represented Barbara Hogan in a recent treason trial, said: "Pages of legislation have created a valueless apparatus of review and an illusion exists that the detainee is protected and still has certain rights.

"The truth is that what rights still remain only tend to illustrate the extent of the loss of rights and the remedies provided only highlight the absence of any meaningful protection," he said.

Later in the conference, Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, urged that all judges be given equal opportunity to hear trials under the security laws.

## 'Tainted confession'

**ANY detainee's confession produced under conditions of solitary confinement was "hopelessly tainted" and no modern court of law should ever accept it, an internationally renowned psychiatrist, Dr Louis West, said in Durban at the security-legislation conference.**

Dr West, who has studied the psychological effect of solitary confinement on prisoners for 30 years, described these effects as DDD — debility, dependency and dread.

Debility involved the physical wearing down of detainees through methods such as sleep deprivation. This generally induced misperceptions of reality and extreme suggestibility.

The process by which the prisoner began to depend on the interrogator began almost immediately, he said, especially if the prisoner was isolated from others.

"The prisoner will be forced to identify with his captor as he is the only person with whom he can communicate," Dr West said.

Feelings of dread were induced in many ways. These included the fear of permanent incarceration, the threat of physical injury and concern for loved ones outside the prison.

Against this background, Dr West said, induced confessions were always unreliable unless they could be "substantiated by objective physical evidence".

"It is possible for the captor to create an elaborate tissue of lies and deceit out of absolutely nothing by inducing a confession from a detainee in this way," Dr West said.

Symptoms of stress were also listed by Dr Graham Tyson, of the Wits psychology school, when he addressed the conference.

There were psychological effects of detention that included delusions, hallucinations, insomnia, withdrawal, difficulties in concentration and depression.

Dr Tyson said the psychological response to detention was basically the same as the response to other very stressful situations, such as motor accidents, combat, rape or prisoner-of-war camps.

The level of stress resulting from solitary confinement was increased by ignorance, little or no preparation and unexpected sequences of events.

Being kept in isolation was also extremely stressful, he said, because fear and uncertainty created a need for the company of friends who would be able to help the detainee cope.

Dr Tyson added that reports of detainees showed they had experienced feelings of intense fear, helplessness, loss of control and threat of annihilation.

## US academic speaks on effects of detention

# SA warned to drop harsh security laws

329
20/9/82 Sowetan

**SOUTH AFRICA COULD afford to suspend the harsn application of its security laws without increasing the threat to the country's national security, Professor Louis West, an international authority on the effect of detentions, said last week.**

Dr West was the keynote speaker at this week's watershed conference on detention and security legislation, at the University of Natal in Durban, organised by the Department of Extra Mural Studies and of Public Law.

More than 150 lawyers, doctors and senior academics gave him an ovation after hearing his hard-hitting but unemotional speech on research into this affects of isolation on detainees.

In an interviews afterwards, he told reporters that, although he thought there was a 'communist conspiracy' against South Africa and that vigilance was required to combat it, the Government would be wise to curb any brutality taking place in interrogations because it would "get better results without such methods".

He said information obtained in this way was hopelessly unreliable.

Professor West, who is professor of psychiatry at the University of California, Los Angeles (UNCLA), said detention without trial, especially if it was accompanied by extreme methods of interrogation, was self-defeating.

"Detention without trial tends to politicise and radicalise people. Fairness on the part of a government takes the wind out of the sails of the revolutionaries.

"When you detain and isolate someone without trial you are meting out a worse punishment than we reserve for people convicted of murder, who are still allowed to see their families and lawyers.

"It is unfair — and fairness counts. Part of what every government has to provide, along with security, is a guarantee of fairness.

"It makes police work a little harder, but its benefits to the country are greater. I believe detention without trial is militating against South Africa's national interests already."

Dr West said it was a lesson of history that "in the long run, torture isn't a good idea. Paying attention to fairness makes the job of the police more difficult, but it has fewer disadvantages in terms of what you have to live with".

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"That is not the finding of modern scientific security forces in other countries," he said.

**OWN CORRESPONDENT**

DR WEST: Expert on detentions.

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# Aggett inquest reopens today

CAR Trials 20/9/82

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**Own Correspondent**

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The inquest magistrate, Mr Petrus Kotze, adjourned the hearing in the Johannesburg Regional Court 10 weeks ago, saying he would decide before the reopening whether the "dozens of pages" of documents could be used.

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He said he had not shown the documents to the Attorney-General, officers of the court or the Aggett family lawyers because the investigation was not complete.

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Dr Aggett, Transvaal secretary of the Food and Canning Workers' Union, was found hanged in his cell at John Vorster Square on February 5 only 14 hours after complaining of assault and torture at the hands of security police.

Mr George Bizos, SC, representing the Aggett family, told the court he would argue that Dr Aggett had died as a result of induced suicide — a crime in South Africa.

Dr Aggett said in an affidavit that during his 62-hour interrogation session he was allowed only 11 hours sleep and was given electric shocks and assaulted.

The chief of the Johannesburg security police, Brigadier Hendrik Muller, later remarked in his evidence that it would have been "a great deprivation" for Dr Aggett if his claim to have been subjected to 62 hours of interrogation was true.

Mr P J Schabort SC, representing the Minister of Law and Order, Mr Louis le Grange, has said the inquest was "turning into a commission of inquiry into the security legislation of this country".

**EVERY CANDIDATE MUST** enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

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## NOTE CAREFULLY

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

## WARNING

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

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# Liz Floyd describes hour of SP threats

(329) Star 21/9/82

By Joe Openshaw

Dr Elizabeth Floyd, the 28-year-old girlfriend of Dr Neil Aggett, told a Johannesburg magistrate today that a Security Police warrant officer intimidated her for almost an hour by telling her stories of how people had jumped out of the window at John Vorster Square.

She said the officer, known to her as Carr from Newcastle, was trying to get her to make a statement at John Vorster Square. He had told her: "Timol was not pushed, he jumped."

Dr Floyd was giving evidence at the inquest on Dr Aggett, who died on February 5.

She said she had been intimidated by Warrant Officer Carr and other security policemen the day day before Dr Aggett had died. She had been asked to make a new statement; Warrant Officer Carr had told her a previous statement was "nonsense."

"Warrant Officer Carr said that, when he was interrogating a detainee in Natal, the detainee jumped out of the window and Carr caught him by the heels and held him until someone could pull him back," said Dr Floyd.

Dr Floyd said Warrant Officer Carr had told her that when her statement was compared with one made by Dr Aggett, it was clear she was withholding information.

He had then threatened that she would be sent to jail for five years, she said.

"Warrant Officer Carr was a big man, overweight with a red face and very aggressive.

"While I was in the room — and before I could start writing a new statement because they told me the old one was inadequate — a Lieutenant Prince came in and started shouting at me. He told me: 'We have ways and means of making people make statements,'" said Dr Floyd.

A Lieutenant Whitehead told her to stand and said to her: "We will see how you feel after you have been standing for a while."

"I stood for between half an hour and three-quarters of an hour and then sat down again.

"Lieutenant Whitehead came back into the room and was irritated with Warrant Officer Carr because he had allowed me to sit down," said Dr Floyd.

Dr Floyd said she had met Dr Aggett in 1973 at the University of Cape Town, where they both studied medicine. A year later they had started living together.

She remembered Dr Aggett as a gentle and intelligent man who was warm to people. He was concerned with what was going on around him and was a conscientious trade unionist.

(Proceeding)

# Unionists detentions slammed

Labour Reporter

CAPE TOWN — Several observers from overseas embassies condemned the detention without trial of trade union leaders at the opening of the Tucsa conference here yesterday.

Representatives from the Netherlands and Australian embassies said there was growing concern in their countries about the detention of union leaders, particularly the death of Dr Neil Aggett while in police custody.

Recent labour reforms were welcomed. But there was some way to go in other areas, such as equal pay for equal work.

# Aggett's girlfriend 'intimidated'

Argus 21/9/82 (329)

*Dr Elizabeth Floyd*

**Argus Correspondent**

JOHANNESBURG. — Dr Elizabeth Floyd, 28-year-old girlfriend of Dr Neil Aggett, told a Johannesburg magistrate today that a security police warrant officer intimidated her by telling her for almost an hour how people had jumped out of the window at John Vorster Square.

She said the man, known to her as Warrant Officer Carr from Newcastle, wanted her to make a statement and told her that "Timol was not pushed, he jumped".

Dr Floyd was giving evidence at the inquest on Dr Neil Aggett, who died in detention on February 5.

**THREATENED**

She said she was intimidated by W/O Carr and other security policemen on February 4, the day before Dr Aggett died, and was asked to make a new statement because W/O Carr told her a previous statement was nonsense.

He told her that when her statement was compared with one made by Dr Aggett it was clear she was withholding information. He then threatened that she would be sent to jail for five years.

"While I was in the room and before I could start writing a new statement, a Lieutenant Prince came in and started shouting at me and told me: 'We have ways and means of making people make statements'," Dr Floyd said.

**IRRITATED**

A Lieutenant Whitehead told her to stand. "I stood for between half-an-hour and three-quarters of an hour and then sat down again.

"Lieutenant Whitehead came back into the room and was irritated with W/O Carr because he had allowed me to sit down," Dr Floyd said.

Dr Floyd said she met Dr Aggett at the University of Cape Town in 1973/74 where they both studied medicine. A year later they started living together.

Dr Aggett was a warm, gentle and intelligent man. He was concerned with what was go-

(Contd on Page 3, col 1)

Argus 21/9/82 (329)

**Aggett**

(Contd from Page 1)

ing on around him and was a conscientious trade unionist who concentrated on building up the clothing workers' union.

He had great strength of character and was a skilled doctor.

She was arrested with Dr Aggett on November 27 last year and after her fingerprints and photograph had been taken at John Vorster Square she was detained at Bronkhorstspruit for three weeks.

She was brought to Hillbrow police station after that.

**NOT ACCEPTED**

Dr Floyd said she was repeatedly questioned about a document which she was alleged to have written but had never seen until she was detained at John Vorster Square.

Lieutenant Whitehead would not accept her explanation and at one stage she told him: "I'm tired of you and your ... documents."

"He told me he would hit me if I swore at him. I regarded that as totally unreasonable and told him if I would hit him if he hit me," Dr Floyd said.

**NO RESPECT**

Cross-examined by Mr Schalk Burger, who appeared for the Minister of Law and Order, Dr Floyd said she could not deny she had told Lieutenant Whitehead to "Stop talking" and had threatened to hit him.

She was not used to being treated like a liar and had not got on well with Lieutenant Whitehead because he did not treat her with respect.

She was told on the afternoon of February 5 that Dr Aggett had died. She was "very shocked and very distressed" and was kept in hospital until she was released on March 26.

(Proceeding)

## 'Torn shirt kept as evidence'

# Aggett wanted to 'lay charge of assault'

329

nom 21/9/82

By ANTON HARBER

DR NEIL Aggett was keeping a torn shirt — ripped by a policeman during an interrogation session — as evidence of assault and was planning to lay a charge.

A banned former detainee Mr Keith Coleman yesterday told an inquest magistrate Mr Petrus Kotze Dr Aggett had told him this several weeks before he was found hanged in his cell at John Vorster Square, Johannesburg, on February 5.

Mr Coleman was giving evidence at the inquest into the death of the trade union leader which reopened in the Johannesburg Regional Court yesterday.

The crowded court heard that Mr Coleman had also seen Dr Aggett twice in the last week of his life — and had been "frightened" by his lack of response to his greetings.

Earlier Miss Yvette Breytenbach, a close friend of Dr Aggett and the last of his friends or family to see him alive, said he had been alert and optimistic during her visit to him a few weeks before his death, and he had shown no sign that he might take his life.

She told the court she had been Dr Aggett's close friend since July 1979.

"He was a man of purpose, committed to change in South Africa through the trade unions. He was a particularly sincere and honest friend who wanted to work for a democratic South Africa free from racial discrimination," Miss Breytenbach said.

A week before he was held, Dr Aggett had told her he realised he might be detained, but she should not worry since he was not a member of the banned African National Congress.

Miss Breytenbach had visited him on the 10th floor of John Vorster Square on December 23, 1981 — less than six weeks before his death. They had been allowed to discuss only domestic matters.

"Neil was very well, both physically and mentally. He said he was being treated well. He showed no signs of nervousness and was relaxed," she said.

He had told her he was not sure he would be released in time, but she should not cancel a holiday booking he had for February.

"His state of mind was good and there was no indication that he was despondent or might want to end his life. On the contrary, he was optimistic," she said.

Miss Breytenbach denied a suggestion from Mr Pieter Schabort, SC, for the Minister of Law and Order, that Dr Aggett's relationship with his girlfriend, Dr Liz Floyd, was floundering when the two were detained.

She said he knew he was being watched by the police and might be detained. He had expressed anxiety about how he would cope with solitary confinement.

"But he would never have jeopardised his work in the union by doing anything illegal."

Mr Coleman told the court of four incidents when he had had contact with Dr Aggett — two in December and two during the week before he was found hanged in his cell.

But Mr Coleman said he could not give these incidents a definite date. "Five months in solitary confinement distorted my view of time and so while I can remember incidents, I cannot place them in sequence or give them a date," he said.

In the first two incidents, Dr Aggett was "alert" and "responsive". He had asked Mr Coleman for food and cigarettes since his privileges had been taken away from him temporarily.

Dr Aggett had told him he had been assaulted by a policeman during interrogation and was keeping a shirt torn by the policeman as evidence of this. He planned to lay a charge against the policeman when he was released.

Twice in the last week of the trade unionist's life, he had noticed a change in Dr Aggett's condition when he had not responded to greetings, Mr Coleman said.

Once he had banged on his cell window to attract Dr Aggett's attention, but Dr Aggett had ignored him. Mr Coleman said it was "unlikely" Dr Aggett had not heard him.

On another occasion he had seen Dr Aggett in the prison corridor and had greeted him.

"He did not reply, he did not acknowledge me as I expected. He turned towards me but did not look at me. That is what frightened me," Mr Coleman said.

The inquest resumes at 9am this morning.

● Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr Willem Lene of Bell, Dewer and Hall, appeared for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. The A-G is represented by Mr Piet Haasbroek assisted by Mr André de Vries.

Dr Neil Aggett's girlfriend Dr Liz Floyd, right, talks to see him alive, Miss Yvette Breytenbach, who gave

## Man denies murdering his parents

CAPE TOWN. — Mr Arthur Phillip Solomon, 21, pleaded not guilty in the Cape Town Supreme Court yesterday to murdering his adoptive parents.

Their bloodstained bodies were found in their Plumstead home in July.

His counsel, Mr L Pienaar, said Mr Solomon admitted assaulting Mrs Edna Solomon and thereby causing her death, but denied he intended to kill her.

He admitted hitting Mr Arthur Solomon over the head with a bottle, but denied this killed him.

The case continues. — Sapa.

## Trio grab

Crime Reporter

A GUNMAN jumped on to a Pc counter, held up the postmas assistant, and with two ac looted the safe of R4 566 yes

Brixton Murder and Robbe detectives said three men v the Post Office in Marjorie S gents Park, Johannesburg, at

## Were these crustaceans 'flying high'!

Mail Correspondent

LISBON — The authorities in Mozambique have cracked a smuggling ring responsible since 1978 for transporting thousands of rands worth of shrimp and dagga illegally to Portugal, it was announced yesterday.

According to a report published in Lisbon, the alleged smugglers, five men and a woman, shipped their clandestine cargo from Beira to Lisbon on the weekly flight of the national airline, Lineas Aereas Mocambicana.

Two accomplices, one a local customs officer, have also been arrested and another accused is said to be out of the country.

The authorities have notified their Portuguese counterparts of the crackdown but so far there has been no announcement of any arrests in Lisbon.

# Aggett 'to have sued for assault'

CAPE Times 21/9/82

329

**Own Correspondent**

JOHANNESBURG. — Dr Neil Aggett kept a torn shirt, allegedly ripped by a policeman during an interrogation session, as evidence of assault and planned to lay a charge, according to a banned former detainee, Mr Keith Coleman.

Mr Coleman said Dr Aggett had told him this several weeks before he was found hanged in his John Vorster Square cell on February 5.

Mr Coleman was giving evidence at the inquest on the trade union leader which resumed in the Johannesburg Regional Court yesterday.

### 'Alert'

Mr Coleman told the court of four occasions of contact with Dr Aggett, two in December and two during the week before he was found hanged.

Mr Coleman said he could not give these incidents a definite date because five months in solitary confinement had distorted his view of time.

On the first two occasions Dr Aggett had been "alert" and "responsive". He had asked Mr Coleman for food and cigarettes, as his privileges had been removed.

Dr Aggett had told him he had been assaulted by a policeman during interrogation and was keeping a shirt torn by the policeman as evidence of this. He had planned to lay a charge when he was released.

Mr Coleman said that twice in the last week of the trade unionist's life, he had noticed a change in Dr Aggett's condition — he had not responded to greetings.

Once he had banged on his cell window to attract Dr Aggett's attention, but Dr Aggett had ignored him.

On another occassion, he had seen Dr Aggett in the prison corridor and had greeted him.

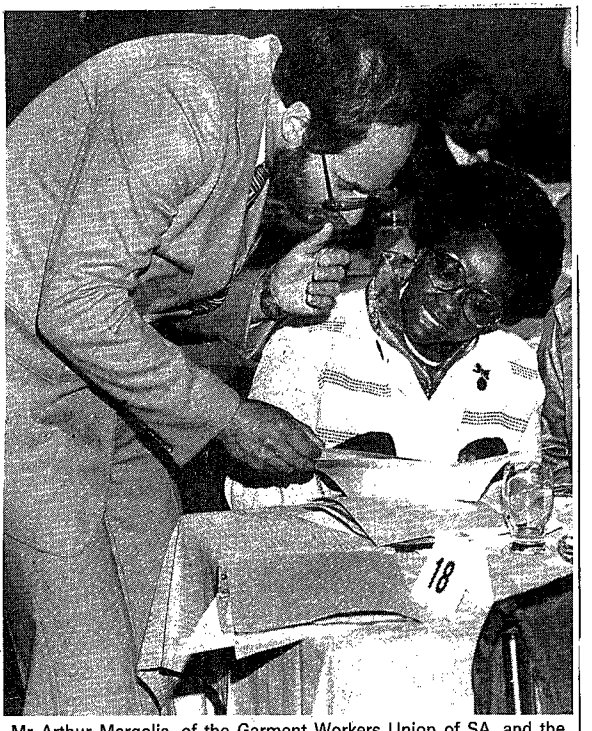
"He did not reply, he did not acknowledge me as I expected. He turned towards me but did not look at me. That is what frightened me," Mr Coleman said.

### 'Optimistic'

Earlier, Miss Yvette Breytenbach, a close friend of Dr Aggett's and the last of his friends or family to see him alive, said he had been alert and optimistic during her visit to him a few weeks before his death. He had shown no sign that he might take his life.

A week before being held; Dr Aggett had told her he was aware he might be detained but she should not worry since he was not a member of the African National Congress.

The inquest resumes today.



Mr Arthur Margolis, of the Garment Workers Union of SA, and the general secretary of the National Union of Clothing Workers, Mrs Lucy Mvubelo, study a resolution during a break in proceedings at the Tucsa congress yesterday.

CAPE TIMES 21/9/82

# Detainees: Tucsa president replies

**Labour Reporter**

TUCSA was not prepared to take up the cases of individual detainees they hardly knew, Dr Anna Scheepers said in her presidential address at the trade union body's annual congress in the City yesterday.

**tucsa conference**

Dr Scheepers, who was unanimously re-elected president for a second term yesterday, was replying to criticism of Tucsa's attitude towards

She said these unions were involved in a "vicious" attack on the industrial council system, either through ignorance of the system or for "obscure political motives".

She also warned that South African workers were facing the worst onslaught ever, with competition coming from overseas, as well as internally.

It would be a challenge for urban workers to hold their jobs against tremendous odds — the new decentralization proposals, which would "whet the appettite" of manufacturers, causing them to move their factories.

detained trade unionists, which has led to the disaffiliation of several member unions.

This included Tucsa's criticism of protests over the death in detention of trade unionist Dr Neil Aggett and its refusal to take up the cases of detainees Allan Fine — an official of a Tucsa union — and Emma Mashinini, wife of the then Tucsa unionist Mr Tom Mashinini.

"Tucsa opposes the principle and practice of detention without trial but cannot be expected to take up the cases of individuals they don't know, or hardly know at all," Dr Scheepers said.

One person had admitted in court to working with the S A Congress of Trade Unions (Sactu) and sending unfavourable reports on Tucsa.

"What do people think they are? They are trying to undermine Tucsa and when they find themselves in difficulty, Tucsa is the first to be approached to make representations to the authorities."

Dr Scheepers criticized the emerging unions who, she said, were entering the field of "well-established and properly-functioning unions", causing disruption for unions and employers, instead of organizing the unorganized workers.

# The terrors of the 10th floor

## by Liz Floyd

Dr Liz Floyd with another witness, Miss Yvette Breytenbach, seated outside the magistrate's court this week.

By ANTON HARBER

DR LIZ FLOYD, girlfriend of Dr Neil Aggett, who died in detention earlier this year, heard people screaming on two occasions while she was being interrogated on the 10th floor of John Vorster Square in Johannesburg.

Dr Floyd said this yesterday while giving evidence in the Johannesburg Regional Court during the inquest into the death of Dr Aggett, who was found hanged in his John Vorster Square cell on February 5.

One interrogator had spent "nearly an hour" telling her about other detainees who had jumped to their death through interrogation room windows, she said.

The interrogator, whom she had known only as Carr, had told her a story of a detainee who had jumped from a window, but had been caught by a leg and a foot. He had been held there until help arrived.

"I think it is very difficult for people sitting in this courtroom to understand what it is like on the 10th floor, especially after three months of detention. Even though you know your rights, you begin to doubt them. Theoretically, I knew I was not guilty, but I began to doubt that," she told the crowded court.

Dr Floyd said that she was under such stress when she heard about her boyfriend's death that she could not brush her teeth. "I would walk across the room (in hospital) and then forget what I was going to do. I could not remember anything," she said.

Speaking quietly but firmly, Dr Floyd told the court she had met Dr Aggett in 1973 during her second year studying medicine at the University of Cape Town.

"He was a very gentle, intelligent person and very warm to people. He was considerate and thought a lot about things. He was very concerned about what was going on around him and worked very hard and conscientiously for the trade union."

Dr Floyd said she and Dr Aggett had known for some time that they were being followed and might be detained.

"Although we knew we had done nothing illegal, we were worried about the attention he was getting from the Security Police. We thought if there was a strike, he might be detained, but never contemplated this kind of detention," she said.

The last time she had seen Dr Aggett was when the two of them were detained on November 27, 1981. She was taken to John Vorster Square where she was fingerprinted, photographed and then moved to Bronkhorstspruit Prison, where she spent three-and-a-half weeks in solitary confinement, often without even anything to read.

Soon afterwards she was taken to John Vorster Square. "On one of my first visits to the tenth floor, a Warrant Officer Prince was very aggressive and shouted and screamed at me and attempted to intimidate me, saying if I did not write a statement voluntarily, they had ways and means of getting information out of me," she said in an affidavit presented to the court.

"He said things like: 'We won't have you on our conscience. You're a lady and we want to treat you like a lady'."

Dr Floyd had also spent a few days at the end of December and beginning of January being interrogated by Security Policeman. Although they had constantly told her they were unhappy with her statement, she had been moved to Hillbrow Police Station before finishing the statement.

The next time she was taken for interrogation was on February 4 — the day before her boyfriend's death.

"They put handcuffs on me and when I argued with them they said a Lieutenant Whitehead had ordered it," she said.

A Security Policeman told her the statement she had written was useless and that when it was compared to information given to them by Dr Aggett, it was clear she could be sentenced to five years imprisonment for withholding information.

"I said this was nonsense. I could not be charged or convicted for anything.

"He regarded me as insolent and made me stand for half-an-hour to an hour. I was not agreeable but it was made clear to me that if I did not they would get nasty.

"I wasn't terrified but I was intimidated. I knew I had not been involved in illegal activities and so stood up for myself.

"They told me Neil had said certain things which I knew were not true. They told me Neil had said he regretted ever going to UCT. Knowing how much he had valued his training at UCT, this made me very worried," she said.

"During the first week of January while I was being interrogated on the 10th floor, I heard someone screaming down the passage. It was a man's voice and it sounded like somebody in extreme pain.

"I asked Sergeant Van Schalkwyk, who was in the room with me, who was screaming and he said he did not know," her affidavit said.

"On another occasion, I saw a black woman being taken into the office opposite me. After a while I heard her crying and screaming. I thought she was being assaulted and asked Captain Snyman who was in the room with me. She answered: 'No, we just use psychological tactics," Dr Floyd said.

Dr Floyd said her interrogators had repeatedly questioned her about a document she had never seen before.

"Eventually, I said I am sick and tired of you're f---ing document. Lt Whitehead said he would hit me if I swore at him. I thought that was an unreasonable response, so I said if he hit me I would hit him back."

Asked if Lt Whitehead had always treated her badly, Dr Floyd said he was "frequently aggressive. My main complaint was that he would not listen or believe me. He treated me like a liar.

"I am a fairly senior doctor and am not used to being treated like a liar. I expect to be treated with respect and Lt Whitehead showed no such respect," she said.

Asked why she had not reported the policeman who had told her about the deaths of other detainees, she replied: "While I was in detention, I knew many things were wrong, but I could not act on it.

"The magistrate who visited me from time to time at Hillbrow was particularly unresponsive. I told him many things he took very little notice of," she said.

Dr Floyd said her interrogators had tried to play her and her boyfriend off against each other. "They told me Neil had had affairs with other women, but I said I knew what they were trying to do and did not believe them so they backed off.

"I had known Dr Aggett intimately for a number of years and can say without any doubt that in normal circumstances he was not the sort of person who would have committeed suicide," she concluded in her affidavit.

The inquest resumes today.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewer and Hall, appeared for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. The AG is represented by Mr Piet Haasbroek assisted by Mr Andre De Vries. The magistrate is Mr Petrus Kotze).

# State objects to Aggett witness

ARGUS 22/9/82 329

**Argus Correspondent**

JOHANNESBURG. — Counsel for the Minister of Law and Order objected today to the calling of a former detainee, Mr Ishmael Momniat, to give evidence at the inquest on Dr Neil Aggett.

Mr P J Schabort, SC, submitted in the Johannesburg Magistrate's Court that Mr Momniat's evidence could not be submitted on a "similar fact" basis.

He said Mr Momniat had made allegations of assault in an affidavit made after he was released from detention, but he had not named the police officers involved.

The policemen should have been named to establish a nexus between the circumstances of Mr Momniat's detention and those of Dr Aggett.

**IDENTITY**

Mr Momniat should not be allowed today to name the security policemen involved.

"If it is the intention of this court to allow this witness to point out people in an identification parade then we find it will be difficult to conduct his cross-examination," Mr Schabort said.

"Obviously we shall first have to find out what he says, then go and find the police officers, take statements from them and come back to court at some stage and reopen this issue."

In reply Mr George Bizos, SC, counsel for the Aggett family, said the fact that the police counsel was not ready to cross-examine was not sufficient reason to delay the inquest.

**AFRAID**

He said detainees were afraid to name security policemen who maltreated them but he assured the magistrate, Mr P A J Kotze, that the police officers involved were also linked to Dr Aggett.

"The persons mentioned to us are part of the same investigation team. If this is not accepted, we will lead evidence in this regard," Mr Bizos said.

Mr Kotze will give his ruling on this issue later today.

(Proceeding)

# State lawyer objects to Aggett witness

(329 Star 22/9/82)

By Alex Ball

Counsel for the Minister of Law and Order objected today to the calling of a former detainee, Mr Ismael Momniat, to give evidence at the inquest into the death of Dr Neil Aggett.

Mr P J Schabort, SC, submitted in the Johannesburg Magistrate's Court that Mr Momniat's evidence could not be submitted on a "similar fact" basis.

He said Mr Momniat had made allegations of assault in an affidavit made after he was released from detention but had not named the police officers involved.

Dr Elizabeth Floyd (right) outside the Johannesburg Magistrate's Court yesterday with Mrs Helen Suzman.

The policemen should have been named to establish a "nexus" (link) between the circumstances of Mr Momniat's detention and those of Dr Aggett, he said.

Mr Schabort said Mr Momniat should not be allowed to name the security policemen involved today.

"If it is the intention of this court to allow this witness to point out people in an identification parade, then we find it will be very difficult for us to conduct his cross-examination.

"Obviously we shall first have to find out what he says, then go and find the police officers, take statements from them and come back to court at some stage and reopen this issue," Mr Schabort said.

In reply Mr George Bizos, SC, counsel for the Aggett family, said the fact that the police counsel was not ready to cross-examine was not sufficient reason to delay the inquest.

He said detainees were afraid to name security policemen who maltreated them but assured the magistrate, Mr P A J Kotze, that the police officers involved were also linked to Dr Aggett.

Mr Kotze was to give his ruling on this issue later today.

A 19-year-old detainee told a Johannesburg magistrate yesterday that on the day before Dr Aggett had died, he saw him walking down a corridor of John Vorster Square with tears running from his eyes and a clot of blood on his forehead.

Dr Aggett was handcuffed and was being escorted by two policemen. He greeted Dr Aggett, and when Dr Aggett opened his mouth to say something a policeman stopped him.

The detainee was Mr Samuel "Thaba" Lerumo, an awaiting trial prisoner, gave this evidence at the inquest on Dr Aggett who died on February 5.

Dr Aggett walked with some difficulty and looked different.

Earlier, Mr Lerumo said he noticed a change in Dr Aggett from about January 25.

"He no longer looked happy. His manner of walking had changed — he was walking with some difficulty. He also did not look healthy," Mr Lerumo said.

Dr Aggett died on February 5.

# Witness tells how Aggett deteriorated in last week

By ANTON HARBER

A FELLOW detainee saw Dr Neil Aggett being escorted to his cell, in tears and with blood on his forehead — just hours before he was found dead.

Mr Thabo Lerumo, 19, was giving evidence yesterday before magistrate Mr Petrus Kotze in the Johannesburg Regional Court at the inquest into the death of Dr Aggett.

Mr Lerumo, a member of the Congress of South African Students (Cosas), is on trial under the Terrorism Act and is accused of being a member of the banned African National Congress.

Mr Lerumo saw Dr Aggett every three or four days in December 1981 and January 1982 while they were both in detention under Section Six of the Terrorism Act.

"He appeared to me to be a reasonably normal, healthy person. He was friendly, full of jokes, kind to people and did not just keep to himself," Mr Lerumo said.

But by the last week of January, Dr Aggett's condition had changed noticeably.

"His manner of walking had changed. He was walking with difficulty and was no longer laughing easily and wasn't so talkative any more," the court heard.

Mr Lerumo said he also remembered seeing Dr Aggett on the afternoon of February 4 — the day before he died.

"He was being walked to his cell by two policemen. Tears were running down from his eyes, his hands were handcuffed in front of him and he walked slowly with a stoop.

"I saw blood on his forehead. Not dry blood, but it was not flowing. Just a small spot of blood," he said.

"I said 'How are you' and he tried to answer but a policeman stopped him from talking to me.

"He was then locked in his cell and the two policemen went away. That was the last time I saw him. I heard the next day that he had died.

"During the night I remember the cells were inspected at 10pm. I do not know if they were inspected again because I slept through the night," he said in his affidavit.

Dr Aggett was found hanged in his cell at 1.30am that night.

● Yesterday Dr Liz Floyd, girlfriend of Dr Aggett, told the court she heard people screaming on two occasions while she was being interrogated on the 10th floor of John Vorster Square in Johannesburg.

● See Page 11

# Aggett had mark on his forehead—witness

329 Star 23/9/82

By Alex Ball

A former detainee, Mr Ismail Momoniat, told a Johannesburg magistrate today that he saw Dr Neil Aggett two days before his death. He appeared to have had a hard time and had a large mark on his forehead.

Mr Momoniat told the inquest on Dr Aggett that he had seen Dr Aggett at least seven times when both were detained at John Vorster Square.

Dr Aggett was relaxed, smiled a lot and always responded to a greeting.

"However, on the Wednesday before he died — that would be on February 3, the last time I saw him — we were both on the first floor to sign out before going to the tenth floor.

"I greeted him and he did not respond."

"I also noticed that on the right side of his forehead, there appeared to be a large mark — say three-quarters of an inch in diameter. It looked to me to be a scar or bruise, but it was a mark that stood out."

Earlier, the magistrate, Mr P A J Kotze, decided that Mr Momoniat could give evidence only on his observations of Dr Aggett in detention.

The court was told yesterday that Mr Momoniat intended to name security policemen.

"Ismail Momoniat shall be called to give evidence on all his encounters with Dr Aggett while in detention at John Vorster Square.

"His evidence as to allegations of ill-treatment is not admitted because the nexus required to make it acceptable does not exist and I can find no other reason for admitting it" Mr Kotze said.

The case continues.

Mr Ismail Momoniat gave evidence at the Aggett inquest today.

GEN

# SP hold 'sick' man

329 Star 23/9/82

Security Police have detained a 24-year-old Soweto man, Mr Daniel Motshawane Phele, who is in poor health, according to his family.

He was detained on September 12 under Section 29 of the Internal Security Act.

According to his brother, Mr Mccamel Phele, police arrived at their Meadowlands home before dawn and took Mr Phele away.

They returned in the evening with him and searched the house but took nothing away.

Mr Mccamel Phele said his brother was a sickly man who often bled through the nose and suffered dizzy spells.

Last Friday, he said, a policeman came to their home to collect Mr Phele's medicines and his doctor's appointment card. The family handed these over.

# Schoolchildren the security

**This month marks the second anniversary of the eruption of the Kimberley school boycotts.**

**It also marks the 18th month in detention for 12 of the pupils who were held following the outbreak of unrest in Galeshewe, Kimberley's major black township.**

The trouble started on the morning of September 8, 1980, when the Minister of Education and Training refused to see or negotiate with the 15 000 boycotting pupils.

In protest, pupils gathered to tear up their textbooks. In the police/pupil confrontation which ensued pupils claim they fled from police teargas into neighbouring white suburbs, while police reports were of pupils running amok and causing considerable damage to white-owned property.

In all, 23 students, ranging in age from 18 to 21 were detained in January and February of 1981. Some were charged with taking part in terrorist activities, housebreaking, arson and attempted arson, and the remaining 19 were held as potential State witnesses from March 30 under Section 12b of the old Internal Security Act.

However, by the time the State closed its case in May this year, only four of the 19 had been called to give evidence, and worried parents saw no reason why the remainder of the children should continue to be detained.

An urgent application for release of the 15 was made by parents, and refused by Mr Justice H R Jacobs of the Supreme Court who stated that it was beyond the jurisdiction of the court to force the authorities to release the students.

On August 16, seven of the 15 students were released and security police spokesmen said three others were being held on charges of perjury — after they gave evidence for the defence.

**Pupils confront police . . . a scene from the Soweto disturbances in June 1976.**

There are still nine school pupils in detention — subject to the sole control of the Attorney-General. They could well be held until the case ends — and the Kimberley Trial is one of the longest trials of its kind to date.

In the wake of the Soweto 1976 riots, parents, lawyers and even members of the official Opposition experienced similar frustration in attempting to secure information or the release of hundreds of school students — many of whom were under the age of 18.

During the period June 1976 to September 1977 the South African Institute of Race Relations recorded that a "large portion" of the 2 430 people officially recognised as being detained were schoolchildren.

In response to questions tabled by Mrs Helen Suzman in the House of Assembly in February 1978, The Minister of Police, Mr Jimmy Kruger, confirmed that 236 males and 23 females under the age of 18 had been detained during 1977.

When asked to specify the ages of the children, Mr Kruger responded: "I am not prepared to furnish the information required as it is against the public interest to do so.

"I should like to add however, that despite the fact that they were under 18 years of age, there was prima facie evidence that they were actively engaged in committing arson, incitement to public violence, stone throwing and the disruption of law and order."

Of the 500 children (under age 18) held under security laws during 1977 and 1978, only 119 were convicted — less than 24 percent.

A United Nations Human Rights Commission working group in South Africa received testimony [illegible] the 1976-1977 period which claimed:

- At least 150 children under the age of 16 were detained in terms of security legislation in the six months ended in April 1977.
- In one Port Elizabeth trial, one of the accused was said to be a seven-year-old boy.
- Dozens of children, barely in their teens, had been held in solitary confinement for several months.
- One lawyer handled cases involving 91 children under 16, including children of 10, 12 and 13, some of whom had spent up to five months in solitary confinement.
- The Civil Rights League in Cape Town produced a list of 39 youths detained for six months. None were charged, released or used as witnesses at trials.
- Mrs Helen Suzman revealed figures in Parliament in June 1977 indicating that

**Of the thous[illegible] under South A[illegible] a third have b[illegible] minors. Since youths under [illegible] has increased,**

being held under Section 6 of the Terrorism Act, and were in the end charged with minor offences. In the case of 83 Kagiso school pupils, 53 were under 18, seven were under 13. All were detained and subsequently acquitted.

- In the first trial of the Pretoria 12, one of the State's witnesses was a 14-year-old boy who had been held alone in police cells for seven months.
- The 169 school pupils detained as of June 1978 had been held for periods ranging from one month to two years.

People concerned with the cases, including lawyers, claimed that normal legal safeguards for children were "swept aside" under security legislation.

Under common law, a seven-year-old is considered incapable of committing a crime, a child under 14 is still not capable unless it can be proved that he can differentiate right from wrong, and children have the right to remain anonymous and be kept apart from hardened criminals.

In 1978, Minister of Police Mr Kruger told Parliament that one 14-year-old and five 15-year-olds were serving sentences on Robben Island for sabotage.

Of those pupils charged and convicted, most were sentenced to corporal punishment. In one case, a sentence of five cuts was imposed on an eight-year-old child for attending an illegal gathering in

Ernest Moabi Dipale . . . found hanged in his cell on August 8.

Siphiwo Mthimkulu, a Cosas member . . . detained at least three times.

Wantu Zenzile, 1981 president of Cosas . . . detained twice, each time for five months.

# Another tragedy in a cell

Two major security trials, another death in detention, and the release of a number of "long-term" detainees have marked the course of justice over the past two months.

The trial of Miss Barbara Hogan (30) who is charged with high treason, being a member of and furthering the aims of the ANC, resumed in the Johannesburg Supreme Court this month and judgment will be given on October 20.

In July, Miss Hogan brought charges of assault against two security policemen, Warrant Officer Nicolaas Johannes Deetlefs and Lawrence Charles Prince. Both were acquitted.

Trade unionist Mr Alan Fine's trial, heard in the Johannesburg Magistrate's court continued and judgment was postponed to November 8.

On July 16 Mr Cedric de Beer was released after 298 days in detention. He was subpoenaed to give evidence in the trial of Miss Barbara Hogan.

Two Daily News journalists, Quraish Patel and Vas Sone were released on July 21, and on July 24 four detainees, among them trade unionists, were released after three weeks in detention. In Durban two University of Natal students, Mike Pace and Moivrandri Reddy were released.

Among other developments:

**August 7:** Trade unionist Eric Mtonga (26) transferred to the Johannesburg Hospital for "minor ailment" which union officials claim was a drug over dose.

**August 8:** Death of Ernest Moabi Dipale (21), found hanging from a strip of his cell blanket at 12.13 am in John Vorster Square. Minister of Police Mr Louis le Grange commented at the time: "You won't get much information if you keep a detainee in a five-star hotel." Mr Dipale is the 16th detainee to have been found hanged and the 53rd to have died in police detention.

**August 12:** Trade unionist Ephraim Maphumalo referred for psychiatric treatment while in detention.

**August 16:** Seven of the 15 Galeshewe pupils are released.

**August 19:** Minister of Police promises R43 000 facelifts for security cells to make them suicide-proof. He also promises to have another look at recommendations submitted by the SA Association of Law Societies when framing a new set of instructions for police handling of detainees. But they will not be in the form of a statutory code.

**August 20:** Eric Mntonga released after eight months in detention.

Mr Sam Kikine, general secretary of the South African Allied Workers' Union had charges against him dropped after eight months in detention and several court appearances.

On September 17, Jabu Ngwenya was released after more then seven months in detention.

September 30 is the closing date for representations to the ad hoc committee of inquiry into the medical care of detainees and prisoners by the Medical Association of South Africa.

# caught in laws net

**nds of people held over the years frican security legislation at least en students, schoolchildren and 1976, the practice of detaining he country's most stringent laws reports Carolyn Dempster.**

On countless occasions, parents have been left in the dark by the security police. They are not always told their children have been detained, where they are bein held, and why.

There are also numerous allegations of police assault by students, schoolchildren and the parents of minors.

In June 1977, 40 Lenasia High School pupils were detained and interrogated — some for 14 hours. Upon their release a doctor who examined them certified that some of the pupils, between 14 and 19 years old had injuries corresponding to electric shock treatment, kicking and other forms of assault.

★ ★ ★

During the 1980-1981 school boycotts the security police crackdown on student leaders became a new focus for student grievances. In almost every instance the Cape, Kimberley, Soweto and Johannesburg students renewed their boycotts with vigour, demanding the release of leaders before they would contemplate returning to school.

**In 1980, 458 of the 768 people detained were school pupils and students — more than half of the total, and in almost all cases the detentions arose from school boycotts.**

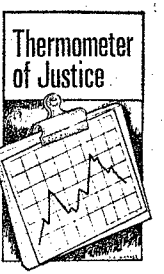
The Congress of South African Students (Cosas) — a black high school pupil representa- particularly hard hit by security legislation.

The organisation was formed only in 1979 (after the South African Students' Organisation and Soweto SRC were banned), yet by 1980 the entire Cosas executive and officials were in detention (17 altogether).

The repeated detention of Cosas officials in all branches of the national organisation was brought sharply into focus this year with the detention of Siphiwo Mthimkulu.

Held under Section 6 of the Terrorism Act for nearly five months, Mr Mthimkulu was released suffering from pains in his feet and stomach. He laid a charge of assault against his interrogators and instituted claims of R40 000 against the Minister of Police. It was then discovered he had thallium poisoning and the suit was increased to R150 000 with poisoning as an additional charge.

Barely able to walk and in an extremely weak condition, Siphiwo disappeared on




April 14 after a visit to Livingstone Hospital. He has not been seen since.

Detention has also claimed its fair share of student lives. At least seven of the 50 deaths in detention have been of people under 25.

In 1976, student Dumisani Mbatha (16) died of natural causes two days after being arrested and detained on September 16.

On November 16 1977 Bonaventure Sipho Malaza died. Police told his family he had hanged himself with his belt in his cell.

In 1978, Lugile Tabalaza (19) committed suicide by jumping from the fifth floor of the Sanlam building in Port Elizabeth. Although held under the Criminal Procedure Act, he was handed to security police for interrogation and was in their care when he died.

# Ill prisoner

In sharp contrast to the many youths enmeshed with the security laws, a 72-year-old with chronic diabetes, Mr Oscar Mpetha, (above) has been denied his freedom for more than two years now.

National organiser of the Food and Canning Workers Union and chairman of the Nyanga Residents Association, Mr Mpetha, of Cape Town, was first detained on August 13, 1980.

Held under Section 6 of the Terrorism Act Mr Mpetha was kept incommunicado for three months, and saw his family for the first time after 113 days.

He was then charged, with 18 others, of offences under the Terrorism Act and of causing the death of Mr Casper Jansen and Mr George Beeton — who died in a fire in Nyanga on August 11, 1980.

Consistently refused bail, Mr Mpetha's physical condition worsened and in January 1981 he was transferred to the prison hospital for diabetes treatment.

On February 8 this year he was sent to Groote Schuur for an emergency operation and was reported by union spokesmen to be "chronically ill" with diabetes.

Repeated attempts by his lawyers since then to secure bail have all failed. The trial continues.

# Consensus on confessions

**How valid is a confession or statement made by a detainee — especially after a long period in solitary confinement — and is the statement admissible in court as evidence?**

This question came under critical scrutiny at a conference on detentions and South African security legislation held in Durban recently. The consensus reached was that confessions obtained under conditions of detention were "tainted" and should not be readily accepted by a court of law.

In the May issue of the South African Law Journal, law lecturer Mr Julian Riekert examines the issue of "police assaults and the admissibility of 'voluntary' confessions" with regard to a successful appeal by Linda Mario Mogale in June 1981.

Mogale was a Soweto schoolboy charged on 12 counts of arson, culpable homicide, assault with intent, malicious injury to property; and one count of participation in terroristic activities.

The evidence which could justify a conviction on the counts was contained in a confession made by Mogale 20 days after his arrest in early 1978.

In court, Mogale said the confession had not been voluntarily made. He alleged it was the result of torture — his interrogators had punched, kicked, throttled him with a medallion chain and subjected him to electric shock.

A certain Sergeant Matthee, he claimed, had attempted to extract two of his front teeth with a pair of pliers — breaking them off as a result.

Of those who testified against Mogale, at least two of the policemen called were unsatisfactory witnesses.

In the judgment, Judge F S Steyn held that Mogale and others arrested with him had been assaulted, but that the severity of the assault had been grossly exaggerated. He rejected Mogale's explanation of his broken teeth on the grounds "it was so far-fetched it could not possibly be true."

The confession was ruled admissible as evidence against Mogale and he was sentenced to seven years imprisonment. He spent two years on Robben Island before his appeal was heard, leading to his release.

The Appellate Division, with Judge Rabie presiding, found the police evidence unsatisfactory and the "voluntary" nature of Mogale's confession to be highly suspicious. The remainder of the conviction was quashed.

Writes Julian Riekert: "The practical significance of this case is that it is the first where the Appellate Division has formally recognised that the police have seriously assaulted a security law detainee in order to compel him to confess."

In the judgment, however, there was no criticism of the policeman concerned. No departmental action was taken against Sergeant Matthee and the Attorney-General declined to prosecute him.

# Police probe man's death after shooting

~~351~~ 329 By JIMMY MATYU E.Post 23/9/82

POLICE are investigating the cause and circumstances of the death of Mr Sonwabo Michael Dlamini, 19, of 16 Seloane Street, New Brighton, in the Livingstone Hospital last week.

He was admitted to the hospital on June 6 after he was allegedly shot in the stomach by a security policeman in a Kwazakele house.

No cause of death is given on the death certificate, which states that the matter is being investigated.

Police liaison officer for the Eastern Cape Major Gerrie van Rooyen said today that an inquest docket had been opened and would be sent to the State Prosecutor. He said further steps would depend on the magistrate's finding.

The head of the security police in the Eastern Cape, Colonel G Erasmus, said Mr Dlamini had been under police guard since admission to the hospital but no charges had been laid against him. There was a possibility that he would have been charged.

He said before the shooting incident the police were looking for him and others in connection with arson attempts at certain schools during January and February.

Col Erasmus said the others who were arrested with him had been charged and were due to appear in court.

# TUCSA SPLIT ON CALL FOR GOVT TO CHARGE OR FREE DETAINEES

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**Labour Reporter**

DELEGATES at the conference of the Trade Union Council of South Africa (Tucsa) in Cape Town were split yesterday over a motion calling on the Government to charge or release detainees.

The motion, introduced by the Garment Workers' Union of South Africa (GWU-SA), was initially voted on by show of hands, but because the voting was so close — 55 in favour and 47 against — delegates called for a card ballot.

In a card ballot delegates do not vote individually but according to the numerical strength of their unions.

## DEATHS

Speaking on the motion, Mr Athol Margolis of the GWU-SA said there had not yet been an adequate explanation of the number of deaths in detention.

"How many more Bikos, Dipales and Aggetts must occur before protection is accorded to detainees?" he asked.

If detainees were guilty, why did it take so long to interrogate them and bring them to trial?

"Is it because they don't have the information their interrogators want?" he asked.

## TARGET

He said the trade union movement had been a major target of the security police. Treatment meted out to trade unionists like Mr Thozamile Gqwetha and Mr Sam Kikine — both officials of the South African Allied Workers' Union — who had been admitted to psychiatric wards, was "what one expects occurs in respect of Russian dissidents".

Seconding the motion, Mr E Esau, representing a motor industry affiliate, called on the conference to condemn detention without trial, which had affected many unionists "whether they are known to us or not".

This statement was interpreted as a reference to the speech by the president of Tucsa, Dr Anna Scheepers, in which she said Tucsa was not prepared to make represention on behalf of people "we hardly know or do not know at all".

Earlier, a motion was carried calling on the Government to introduce a code of conduct to protect detainees.

## APPEAL

Opposing the GWU-SA motion, Mr A Malherbe of the South African Society of Bank Officials said that for the conference to pursue a motion urging that detainees be charged or released was like "banging one's head against a brick wall".

If delegates issued such a call, it was inconsistent also to call for a code of conduct.

Mr C P Grobler of the Artisan Staff Association appealed to delegates not to become "emotional" over the issue.

Referring to the resolution calling for a code of conduct, on which his union had abstained from voting, he said that to labour the Tucsa executive with a second resolution on detentions might be good for Press publicity but was not good for the honour of the council.

## LEGISLATION

Supporting the motion calling for a code of conduct, the general secretary of Tucsa, Mr J A Grobbelaar, said there was no doubt that security legislation would remain at present.

"We have to accept that security legislation will remain in view of the dangerous situation in our country."

He said that while the resolution reiterated Tucsa's opposition to detention without trial, it sought to provide more protection for detainees.

# Delegates differ on detention

**Labour Reporter**

A MOTION calling for the government to charge or release detainees sharply divided delegates at the Trade Union Council of SA (Tucsa) annual conference in the City yesterday.

The resolution said that "in order to strengthen respect for and confidence in the judiciary and other democratic institutions, Conference calls on the government to resort to the normal practice of prosecuting those who have committed an offence, or to release them forthwith".

It had already been amended to delete specific reference to Dr Neil Aggett, the trade union leader who died in detention, and cut out a clause calling "for the field of labour relations to be left to its legitimate practitioners".

After delegates voted 55 to 47 by show of hands in favour of the motion, with numerous abstentions, a card vote — where unions vote in terms of membership numbers — was called. The outcome will only become known this morning, but as some of the unions who voted against it have substantial membership the original vote backing the motion could be reversed.

Division emerged after the conference had voted overwhelmingly for calling on the government to introduce a supervised code of conduct to prevent abuse of detainees.

Mr Arthur Grobelaar, the general secretary of Tucsa, said that while Tucsa was opposed to the system of bannings and detentions without trial, there was "little doubt that existing security legislation is going to remain in view of the dangerous situation in which our country finds itself".

It was a matter of fact that abuse of detainees was taking place and for this reason a set of rules was necessary so that the "bad elements" in the security police could be answerable for their behaviour.

## Embarrassed

Mr Grobelaar added, however, that some of the detainees had been found to have acted against the interests of South Africa and of Tucsa "and I myself have been severely embarrassed".

Mr Athol Margolis, of the Garment Workers Union of SA, who moved the second motion calling for detainees to be charged or released, predicted that many more detainees would die before Section 29 of the Internal Security Act was scrapped.

He hit out at the treatment meted out to detained trade unionists and asked why it took so long for them to be brought to trial.

# 'Police File' rejects appeal on missing man

By JERRY McCABE

*POLICE FILE*, the highly successful crime-combating television programme, has refused to broadcast an appeal for help in tracing a missing former detainee, Siphiwo Mtimkulu.

Mr Mtimkulu disappeared on April 14, several months after being released from detention.

After his release he had been found to be suffering from thallium poisoning and he had instituted a R150 000 damages claim against the Minister of Police.

His mother, Mrs Joyce Mtimkulu, of Zwide, recently wrote to the presenter of *Police File*, Mr David Hall-Green, who referred her to Lieutenant Fred Peach, the programme's liaison officer.

In a letter to Mrs Mtimkulu, Lt Peach said he was unable to place her appeal for help on the programme "due to the fact that the programme is exclusively for unsolved cases handled by the police".

Mrs Molly Blackburn, MPC for Walmer, said today she found Lt Peach's reply to Mrs Mtimkulu "extraordinary".

"I have had discussions with the police on the events which happened on the day before Siphiwo's disappearance, and in fact gave them a full statement on the telephone calls received from Siphiwo on April 14 by my cook and my receptionist at the office.

"Can the communication between police departments be so bad?" Mrs Blackburn asked.

Lt Peach, formerly a top murder and robbery squad detective in Johannesburg, told the Evening Post today that *Police File* no longer broadcast appeals for help in tracing missing people.

"It has to be a criminal case before we can consider an item for broadcast," he said.

Lt Peach said the programme already had a backlog of 10 months on criminal cases and this had been the reason for stopping broadcasts on missing persons.

"The programme is only 10 minutes long and after the introduction and logo we are left with only nine minutes and 15 seconds," he said.

Since its introduction *Police File* has enjoyed considerable success in solving criminal cases.

# Tucsa congress split on 'charge or release' call

(329) Rdm 23/9/82

**Mail Correspondent**

CAPE TOWN. — A motion calling for the Government to charge or release detainees sharply divided delegates at the annual conference of the Trade Union Council of SA (Tucsa) in Cape Town yesterday.

The resolution said: "In order to strengthen respect for and confidence in the judiciary and other democratic institutions, conference calls on the Government to resort to the normal practice of prosecuting those who have committed an offence, or to release them forthwith."

The resolution was amended to delete specific reference to Dr Neil Aggett, the trade union leader who died in detention in January.

After delegates voted 55 to 47 in favour of the motion, with numerous abstentions, a card vote — where unions vote in terms of membership numbers — was called.

The original vote could be reversed when the outcome of the ballot becomes known this morning as some of the unions who voted against have substantial membership.

Division emerged after the conference voted overwhelmingly in favour of a motion calling on the Government to introduce a supervised code of conduct to prevent abuse of detainees.

Mr Arthur Grobbelaar, the general secretary of Tucsa, said while Tucsa was opposed to the system of bannings and detentions without trial, there was "little doubt that existing security legislation is going to remain, in view of the dangerous situation in which our country finds itself."

Abuse of detainees was taking place and for this reason a set of rules was necessary so the "bad elements" in the security police could be answerable for their behaviour.

However Mr Grobbelaar added some detainees had been found to have acted against the interests of South Africa and of Tucsa and this had "severely embarrassed" him.

Mr Athol Margolis, of the Garment Workers Union of SA, predicted many more detainees would die before Section 29 of the Internal Security Act was scrapped.

# 'I was assaulted by security police' Azapo official testifies

**Court Reporter**

THE acting chairman of the Azanian People's Organisation, Mr Bradley Potgieter, told a Durban Magistrate yesterday that he had been assaulted by two Security Branch policemen after they had detained him in Victoria Street in March this year.

Appearing before Mr D M Young were W/O Patrick Jacobs, 25, and Det-Sgt Mohlin Gopal, 29. They have pleaded not guilty to assaulting Mr Potgieter.

Mr Potgieter told the Court that on the evening of March 19 he and several friends had left the Tajmahal Restaurant and had gone to their cars.

He said that as they had left the restaurant they had seen a Maj Benjamin of the Security Branch pulling down posters advertising a Sharpeville Commemoration Service.

He had driven off but in Victoria Street had seen a car behind him flashing its lights. It had pulled up alongside him and he had stopped. W/O Jacobs and Det-Sgt Gopal had then told him they wanted to search his car.

He said they had a hostile and arrogant attitude.

They had told him to open the boot and had removed 30 brand new T shirts, some posters advertising the commemoration service and other publications.

He had later been taken to a room in C R Swart Square by the two men.

## Kicked

Det-Sgt Gopal had questioned him about himself and his organisation.

He had then been told to remove his glasses, watch, shirt and sandles.

Mr Potgieter said Det-Sgt Gopal had struck him across the face with an open hand and ordered him to get into the corner of the room and go down on to his haunches.

He said that while he was in that position Det-Sgt Gopal had slapped him across the face, punched him and kicked him on the knees and thighs.

He had then made him stand behind the door and 'kept banging it into me with considerable force'.

Det-Sgt Gopal had left for a while and during his absence he had also been assaulted by W/O Jacobs.

Later he was told to get dressed and was given his glasses back.

Earlier Dr L Robertson said he examined Mr Potgieter on March 20 and found he had a bruise on his left cheek with evidence of bleeding inside the mouth. There was a bruise on the back of his left elbow and bruising on his knees and thighs.

He also had some tenderness on his left side.

The hearing was adjourned until October 28.

SOWETAN, Thursd

# SP's names hold up Aggett inquest

329 Sowetan 23/9/82

**THE NEIL AGGETT inquest was yesterday adjourned after counsel for the police had objected to a witness mentioning names of Security Police who had allegedly ill-treated him while he had been in detention — because he had "feared" to give their names in his affidavit.**

**By SAM MABE**

Mr Ismael Momoniat, secretary of an Anti-SAIC committee, alleged in his affidavit that he had been slapped across the face and intimidated at John Vorster Square, but had deliberately omitted the names of the policemen concerned because he wanted to name the policemen in the witness box. Mr Pieter Schabort objected to this procedure and said the Neil Aggett inquest was no playground where people could play hide and seek. He said Mr Momoniat had had no reason to be afraid of identifying his aggressors when he had made his affidavit.

Dr Aggett was a trade unionist who died in a cell in John Vorster Square on the morning of February 5. Mr George Bizos, counsel for the Aggett family, said Mr Momoniat was going to give details of his treatment in detention, how complaints were handled, and why he opted to omit names of policemen when he made an affidavit. The magistrate, Mr P A J Koetze, adjourned the hearing at about 12 noon and said he would give a ruling later on whether or not Mr Momoniat could supplement his affidavit with the names of his alleged aggressors.

When the hearing resumed, the magistrate said he had not been able to take any decision on the matter and adjourned the hearing to this morning.

# Unionist to sue Minister of Police

Mail Reporter

AN official of the General and Allied Workers' Union (Gawu), Mr Jabu Ngwenya, released from Security Police detention on Friday, is now bringing a civil action against the Minister of Police, Mr Louis le Grange, for damages in respect of assault.

A spokesman for Mr Ngwenya's lawyers, Priscilla Jana Associates, said he was originally held under Section 22 of the Internal Security Act when he was detained in November last year.

Later Mr Ngwenya was transferred to Section 6 of the Terrorism Act and was being held as a State witness under Section 12(b) of the Internal Security Act — and its equivalent section under the new Internal Security Act — until his release four days ago.

He has been subpoenaed as a potential witness in the treason case pending against Mr Cedric Mayson.

He will also give evidence at the inquest into the death of Dr Neil Aggett who died in Security Police custody earlier this year.

Mr Ngwenya, 28, who has been detained on at least three previous occasions, was a founder member of the Congress of South African Students.

In 1979 he spent five months working with youth groups in Germany as an official guest of a group of West German churches.

West German church leaders and other concerned groups recently protested against his detention and condemned the system of detention without trial.

Deputy Minister's call to trade unions causes a stir in US

# Du Plessis starts a new controversy

**The Deputy Minister of Information, Mr Barend du Plessis, has caused another uproar by telling a conference in the United States that foreign companies in South Africa should rid their black unions of political elements.**

Mr du Plessis, who recently caused a stir when he said the SABC did not give adequate coverage to Cabinet Ministers, was addressing a conference at the Yale School of Management about US business operations in South Africa.

Cheetah Haysom of The Star's New York Bureau reports that Mr du Plessis aroused shock and disappointment among both South African and American participants.

He told the meeting that foreign firms in South Africa had a responsibility to isolate those who misused unions for political purposes.

When they did not do so, the police had to be called in, he added.

## Disquiet

Although the conference was closed to the Press and public, several delegates, including South African and American political, business and academic experts, expressed disquiet at the Deputy Minister's remarks.

They said that the main thrust of questions after Mr du Plessis's address was on the subject of policing political activity in trade unions and that the issue was a cause of concern for foreign operations in South Africa.

When asked to define the misuse of union activity, Mr du Plessis could not be specific, delegates reported.

He said the Government knew the identity of infiltrators and others who were using the unions for political purposes.

One questioner said that 58 black trade unionists had been arrested recently but only six had been charged. He asked how businessmen could co-operate in monitoring unions when the State could not bring evidence to court.

Mr du Plessis is reported to have replied that help was needed to depoliticise the unions. He said he did not like to talk about why people were detained but would rather talk on something more constructive.

Asked about legal procedures, Mr du Plessis is reported to have said that, if people broke the law, they were charged but the rest were "removed for a little while."

## Suicides

A former South African now living in Canada, Professor John Shingler of McGill University, asked Mr du Plessis to take back the message to Pretoria that it was difficult for Canadian and US corporations to defend their operations in South Africa when detentions without trial and suicides by detainees persisted.

Mr du Plessis said that some deaths in detention occurred because TV monitoring systems in cells were thwarted and round-the-clock monitoring was needed.

Top security experts were designing suicide-proof cells, he said.

In his main address, Mr du Plessis said the Government was making great progress in improving education, training and housing for blacks.

In Durban, Mr Ray Swart, an MP of the Progressive Federal

To Page 3, Col 6

Cape Times 23/9/82 329

# Suzman hits at detention laws

DURBAN. — Opposition prisons spokesman Mrs Helen Suzman said yesterday she was "in wholehearted agreement" that confessions from detainees should not be admissible in court.

The Department of Justice's submission that every accused was protected by an entitlement to legal representation and by being called on to testify only if considered mentally fit, did not hold water with her.

"The detention laws must go. That's the only way this sorry business can be cleared up."

Changes to the Internal Securities Act this year had brought "small mercies", said Mrs Suzman.

Not even the new provision which stipulated that detainees should be visited fortnightly by a district surgeon and by a magistrate had helped. These officials were "still both part of the system".

"It's the system of harsh, unthinking, repressive measures. It's the system that needs to be changed."

Mrs Suzman was summing up her impressions of last week's conference on detention and security laws at the University of Natal, Durban.

A paper she had considered especially pertinent had been delivered by a visiting American psychiatrist, Dr Louis West.

Dr West had told delegates that, based on his experiences counselling US prisoners-of-war in Korea, confinement wore down a person's reserves to such an extent that he would often make admissions he did not mean.

# Aggett: Clash on admissibility

CAPE TIMES 23/9/82 (329)

**Own Correspondent**

JOHANNESBURG. — A magistrate will rule this morning whether an ex detainee's allegations that he was assaulted in John Vorster Square may be presented as evidence at the inquest into the death in detention of Dr Neil Aggett.

Mr Ismail Momoniat, an executive member of the Transvaal Anti-South African Indian Council Committee who was held at John Vorster Square at the same time as Dr Aggett, has handed an affidavit containing this allegation to the magistrate, Mr Petrus Kotze.

## Argument

The admissibility of the evidence was contested by Mr Pieter Schabort, SC, for the Minister of Law and Order, and much of yesterday's hearing in the Johannesburg Regional Court was taken up by complex legal argument on this.

Mr Schabort said Mr Momoniat's affidavit was divided into three parts: Evidence of his contact with Dr Aggett, "broad and undetailed" evidence of assault of himself by security policemen, and evidence of his difficulties in reporting these assaults.

## 'Afraid'

He asked the magistrate to rule the last two parts inadmissible. He argued that no names were mentioned in the affidavit and this made it too broad and unspecific to be useful.

Mr George Bizos, SC, for the Aggett family, said there were statements in the affidavit suggesting the witness had been afraid to come forward to give evidence.

He said he was prepared to lead evidence on the state of mind of the witness to show why he had been afraid to name the policemen.

He assured the magistrate that the security policemen involved were members of the investigating team and therefore the evidence was related to the treatment of Dr Aggett.

Earlier, an awaiting-trial prisoner Mr Thabo Lerumo told the court he was sure he had seen blood on Dr Aggett's forehead the night before he died.

He had earlier told the court Dr Aggett was crying when he saw him being returned to his cell only hours before he was found hanged in his John Vorster Square cell on February 5.

## 'Lying'

When told by Mr Shabort that witnesses would testify that he had had no blood on his face at any time, Mr Lerumo said these witnesses would be lying if they said this.

The inquest resumes at 9am today.

Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewer and Hall, is appearing for the Aggett family. Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys, is appearing for the Minister of Law and Order. The Attorney-General is represented by Mr Piet Haasbroek assisted by Mr Andre De Vries.

# Doctor tells court of death

JOHANNESBURG — An obstetrician, Dr Abraham Stein, told a Johannesburg Regional Magistrate yesterday that when he was called in to do a manual removal of a placenta the woman was in a "desperate state".

Dr Stein was giving evidence at the trial in which Dr Hermanus Adriaan Nel appeared on a charge of culpable homicide after the death of Mrs Moira Ann Holt on June 22 last year.

Dr Nel, 44, of Bedfordview, has pleaded not guilty.

Dr Stein said he went to the labour ward to do a manual removal of a placenta after another doctor was having difficulty.

"In the ward Dr Nel was trying to do a manual removal. Mrs Holt was under anaesthetic. She looked pale and there was a tremendous amount of blood gushing from her.

"The sheet on which Mrs Holt was lying was grossly stained with blood. It was soaked. There was also a kidney dish nearby which had blood. There were fragments of placenta tissue in the dish. There was also blood on the floor."

He said another doctor applied a manual cardiac massage but Mrs Holt died.

The court was adjourned and Dr Nel was warned to appear on February 14 next year. — Sapa

When Leonard Parowvallei, sav played at the i Living show ye have an imagi being held at


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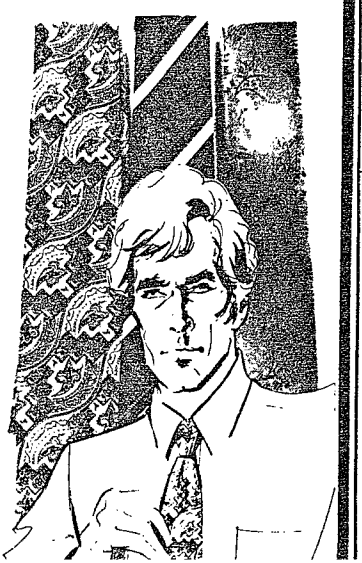

# 5 on charge c opium dealin

**Staff Reporter**

FOUR MEN and a woman, who allegedly dealt in opium and morphine valued at R70 000 on May 6 this year, appeared in the Magistrate's Court yesterday.

Allan Ellie, 28, and Doreen Armstrong, 31, both of Waterberg Street, Heideveld, David Julius, 42, of 47th Street, Elsie's River, Samuel Makoena.

He said that under Drug Act, raw op could not be classifi a prohibited dependa producing drug. He mitted that the secti the Act made pro for prepared opium

Raw opium could classified as a dang dependence-produc drug, and not as it stated in the ch sheet, he said.

# My seven days in the hands of the SP — by an ex-detainee

The Aggett Inquest in the Johannesburg Magistrate's Court yesterday heard a 14-page affidavit giving details of alleged police torture and interrogation methods. ANTON HARBER reports.

A SECURITY police officer told ex-detainee Pramanathan "Prema" Naidoo that a floor at John Vorster Square was referred to as "Timol Heights" — and that after they had finished with him it would be changed to "Prema Heights".

Naidoo alleged this at the inquest into the death in detention of trade union leader, Dr Neil Aggett. Naidoo was in detention when Dr Aggett was found hanged in his John Vorster Square cell on February 5.

He also told the inquest the same policeman had asked him if had seen the sign downstairs saying "Beware of flying Indians".

A factory worker, Naidoo is presently serving a one-year sentence for harbouring an escaped political prisoner.

In his affidavit and in evidence Naidoo told of a seven-day interrogation session in which he said he was allowed little sleep, of being beaten "until I screamed" and of being forced to exercise for long periods.

In the affidavit Naidoo said he had been taken to the office of Major Arthur Cronwright shortly after being detained on November 27, 1981. There he met a Major Arbee.

"Maj Arbee asked me when I joined the African National Congress. When I replied that I was not a member of the ANC, he grabbed me and smacked me a couple of times across my face. He then grabbed me by my hair and banged my head on the desk. He made me squat in a corner with my face to the wall.

"He then took me into a nearby office where a couple of people were sitting having tea. I was made to squat behind the door facing the wall. While I was squatting there, someone came up behind me and punched my head with his fist."

Naidoo said he was then taken to his cell, where he remained until November 30.

"I was fetched by a man whom I later discovered was Warrant Officer Smith. He told me he knew all about my activities, that if I co-operated and made a statement, all would be well. If I did not co-operate, they had ways and means of getting the information out of me and they would do so.

"WO Smith asked me when I joined the ANC and the SA Communist Party. When I said that I was not a member of either organisation, a ginger-haired man suggested I be handcuffed. WO Smith then handcuffed my right wrist to my right ankle and I was made to remain standing. Then I was asked the same questions again and gave the same reply. WO Smith then went to a cupboard in the office and took out a canvas bag.

"He placed this over my head. From time to time they asked me the same questions again and when I gave the same reply, I was kicked and punched. At one stage during the morning, someone else came into the office and removed the bag and said, "Hy's nog vars" (He is still fresh). He then kicked me on my backside and replaced the bag.

The handcuffs were removed to allow Naidoo to eat lunch.

"After lunch, the cuffs were put back, wrist to ankle, and the questioning started again intermittently. After about two hours, the cuffs were removed and WO Smith made me do some exercises. He made me do squats and press-ups on the floor."

Naidoo was then taken back to his cell until the next morning (Tuesday) when he was taken to WO Smith's office.

"WO Smith came in after a while an ordered me to strip. I was then handcuffed right wrist to right ankle. The ginger-haired man came in again and I was asked the same questions as the day before. Again, when I gave the same answer, I would be kicked, punched or pushed. This went on to about lunchtime.

"After lunch, during the afternoon, I was handcuffed again, wrist to ankle. During this period, Lieutenant Prince came in. Without any provocation, he pushed me onto the floor and while I was on the floor, he put his foot on the handcuffs so that they dug into my wrist and ankle. He then struck me under my feet with a piece of wood which had a key tied to it."

Naidoo told the court he was screaming from the pain and the skin on his feet later peeled off.

"Then I was made to get up. After a while the cuffs were removed and I was made to kneel and to hold a chair above my head ... They kept asking me when I joined the ANC and SACP.

"While I was holding the chair, a tall man with a long nose came in. I understood that he was a Capt Venter or Verster. My arms were tiring and the chair was begining to sag. He grabbed the chair and banged it on my head a couple of times. He did not ask me any questions. I was naked all this time.

"After a while, they put the chair down and made me kneel with my arms above my head. The captain then came and hit me two or three time very hard on my head with his fist.

"During the afternoon, WO Smith made me do squats, press-ups and running on the spot. When I started to perspire, WO Smith told me they wanted to get my body warmed up so that if I died, the marks would not show up in the post mortem. The exercises went on for approximately 15 to 20 minutes ... If I flagged, and I was made to do the exercises at a fast pace, they would jab me, prod me and force me to keep going."

Naidoo was taken back to the office on Wednesday morning, and said he had stayed there until Friday afternoon, naked all the time and not allowed to sleep.

During this time, he was given tablets and was told they were to keep him alert.

"I was made to march on the spot, to kneel and to hold the chair above my head and to do exercises such as squats, push-ups and marching on the spot. They had an ANC flag which they would make me wave and hold up while I was marching on the spot ...

"At one stage they made me sit down on a chair and while holding my arms put a plastic bag over my head. I resisted and managed to rip it off ...

"Lt Venter told me that they referred to that floor as 'Timol Heights' and that after they had finished with me, they would change it to "Prema Heights" ... The ginger-haired man asked me if I had seen the sign downstairs saying 'Beware of flying Indians' ...

"During this period I knelt such a lot that the skin on my right knee broke on Friday morning."

On Friday afternoon, Naidoo said he was taken to Vereeniging police station.

"I was placed in a cell. I laid down on the mat and fell asleep immediately. Later, I do no know how much later but it was dark, I was fetched and taken to an office.

"They immediately made me strip ... They questioned me intensely. I fell asleep on my feet and, when I next became aware of what I was doing, I found myself talking but unable to stop myself ... They also tried to force me to agree to make a confession to a magistrate. They pulled my hair and punched me."

Naidoo said that at 6am on Saturday morning, the new shift of interrogators allowed him to put his clothes on and went through everything he had said. He was then taken to his cell, but was not able to sleep.

For the first two days he said he was not allowed any sleep. On Tuesday and Wednesday he was allowed "to lie down on the floor for any hour or so on newspaper. On another occasion, I was allowed to lie down on a couple of chairs which had been brought together.

"When WO Smith and Booysens came on shift ... they made me do exercises, such as standing against a wall with my knees bent, sit-ups, squats, press-ups and running on the spot and this went on for about two hours."

"On Tuesday, or Wednesday, Lt Botha asked me if I would make a confession to a police officer ... I said I would and someone was sent for. I then changed my mind and Lt Botha was very angry and punched me on the chest. He said he was going to kill me.

"He then made me stand up against a wall with my heels hooked on a brick and my knees bent slightly. Whenever I flagged, the ginger-haired man came and jabbed me to get standing to their satisfaction. This lasted for several hours."

On "about Wednesday" he said was taken back to his cell and allowed to sleep. The following morning he made a statement to a Vereeniging Security Policeman.

Asked why he had not reported these incidents, Naidoo told the court he feared he would have to go through it all again.

Naidoo said he had complained to Lt Steyn of a sore ear. "I told him that WO Booysens had hit me across the ear during the time I had been at John Vorster Square.

"The next day, WO Booysens was very angry and demanded to know why I had made false allegations about him when he had been so good to me. He forced me to apologise in front of Lt Steyn."

He told the court when an Inspector of Detainees had asked him if he had been assaulted he had said he would rather not answer as he was frightened.

Mr Pieter Schabort, SC, for the Minister of Law and Order, told the court the affidavit was full of lies and half-truths and policemen would be called to refute it.

In reply to a question, Naidoo said he had no explanation for the behaviour of the police.

Mr Schabort said none of the other detainees who had given evidence had made similar allegations. Naidoo replied he could only say what had happened to himself.

Mr Schabort will continue his cross-examination today.

CAPE Times 24/9/82

# Court told of 'flying Indian' sign

Own Correspondent

JOHANNESBURG. — A security police officer told ex-detainee Pramanathan "Prema" Naidoo that the tenth floor at John Vorster Square was referred to as "Timol Heights" — and that after they had finished with him it would be changed to "Prema Heights".

Naidoo alleged this at the inquest on trade union leader, Dr Neil Aggett. Naidoo was in detention when Dr Aggett was found hanged in his John Vorster Square cell on February 5.

He also told the inquest the same policeman had asked him if had seen the sign downstairs saying: "Beware of flying Indians."

A factory worker, Naidoo is serving a one-year sentence for harbouring an escaped prisoner.

## 'Screamed'

In his affidavit and in evidence Naidoo told of a seven-day interrogation session in which he said he was allowed little sleep, of being beaten "until I screamed" and of being forced to exercise.

In the affidavit Naidoo said he had been taken to the office of Major Arthur Cronwright shortly after being detained on November 27, 1981. There he met a Major Arbee.

He was asked when he joined the ANC and when he denied being a member he was hit in the face. His head banged on a desk and he was made to squat.

Naidoo said he was later taken to his cell, where he remained until November 30.

## Canvas bag

He was then questioned by Warrant Officer Smith about the ANC and the South African Communist Party. He was handcuffed, right wrist to right ankle, he said. A canvas bag was also placed over his head.

The next day he was told to strip, was questioned, and again was kicked and punched.

After lunch a Lieutenant Prince pushed him on to the floor and then put his foot on the handcuffs so that they dug into Naidoo's wrist and ankle. He was also hit under his feet with a piece of wood which had a key tied to it.

During the afternoon, he was made to do squats, press-ups and running on the spot. He was told that they wanted to get his body warmed up so that if he died, the marks would not show up in the post mortem, he said.

## Naked

Naidoo was taken back to the office on Wednesday morning, and said he had stayed there until Friday afternoon, naked all the time and not allowed to sleep.

On Friday afternoon, he was taken to Vereeniging police station. He was placed in a cell and later made to strip.

"I fell asleep on my feet and, when I next became aware of what I was doing, I found myself talking but unable to stop myself ..."

On Saturday, after more questioning, he was taken to an office and given pen and paper to write a statement. He was kept there until "about Wednesday".

## On newspaper

For the first two days he said he was not allowed any sleep. On Tuesday and Wednesday he was allowed "to lie down on the floor for an hour or so on newspaper.

"On Tuesday, or Wednesday, Lieutenant Botha asked me if I would make a confession to a police officer ... I said I would and someone was sent for. I then changed my mind and Lieutenant Botha was very angry and punched me on the chest. He said he was going to kill me.

"He then made me stand up against a wall with my heels hooked on a brick and my knees bent slightly."

On "about Wednesday" he was taken back to his cell and allowed to sleep. The following morning he made a statement to a Vereeniging Security Policeman.

Naidoo will be cross-examined today.

# Govt defends detentions 'as a Christian duty'

ARGUS 24/9/82 329

**Religion Reporter**

THE Government has told the Ned Geref Sendingkerk that imprisonment without trial is part of "its Christian duty" in order to protect its subjects.

Cabinet ministers rejected church claims that some security legislation and actions were un-Christian.

The report of the Sendingkerk Moderamen, released at the Sendingkerk synod, quotes in full replies received from the Government to the church's request for certain "unChristian" measures to be repealed.

The Sendingkerk referred in particular to detention without trial, including deaths in detention.

On April 14, Mr Louis le Grange, Minister of Law and Order, wrote to the Sendingkerk: "Security legislation is necessary and I am not prepared to accept that our legislation, and the proposed new legislation in particular, is totally unChristian.

"It will not be repealed by this Government."

The Minister said not all people held in detention were under arrest. Those who were under arrest were charged and brought to court as soon as possible.

On June 9, Mr H C Coetsee, Minister of Justice, also wrote to the Sendingkerk about its protest.

He said: "The greatest factor in criticism against South Africa's security legislation arises because the people who make the criticism are usually not informed on the necessity for and purpose of our security legislation or the reasons for action in terms of this legislation."

Mr Coetsee said "the aim of the communist countries is world domination". People trained by terrorist organisations with communist aims "do not take note of the Christian principles which are endorsed by your Synod".

He gave reasons for imprisonment without trial. Some had to be held in custody "because the subtle manner in which they operate does not always make it possible to charge them in courts of law".

Mr Coetsee added: "There are other detainees against whom charges can be laid in court. But because of the sly manner in which they work, it sometimes takes a long time to investigate their cases in order to obtain sufficient evidence.

"In other cases, again, these people are held as a preventive measure."

Summing up, Mr Coetsee wrote: "If your request not to use these provisions was acceded to, I can give you the assurance that no person's life would be safe on the streets and nobody could sleep peacefully at night.

"Therefore, I cannot associate myself with the view that the legislation is unChristian.

"On the contrary, the Government cannot allow such a situation to develop precisely because it is its Christian duty to protect its subjects."

Neither Minister referred to deaths in detention in their letters to the Sendingkerk.

● See page 13.

# No to motion on detention

CAPE Times 24/9/82 (329) N&H

**Labour Reporter**

A MOTION calling on the government to charge or release detainees was rejected at the annual conference of the Trade Union Council of SA (Tucsa) in the City yesterday.

Later, the council split down the middle again as a motion asking the government to make June 16 a public holiday was withdrawn and replaced by one asking unions to negotiate a special holiday on that day.

This was also withdrawn without discussion and "noted for the record".

The detention motion, which was initially carried 55-47 by a show of hands on Wednesday, was defeated by 198 095 to 193 408 after unions had voted on membership strength.

It had already been diluted to exclude a reference to Dr Neil Aggett, the trade unionist leader who died in detention.

The proposer of the resolution, Mr Athol Margolis, of the Garment Workers' Union, said after the vote that he was disappointed.

"Particularly in view of the terrible circumstances surrounding Dr Aggetts's death one would have hoped the membership of Tucsa would come out with a strong and unambigous statement about deaths in detention," he said.

"Certain delegates were looking for an excuse not to support the resolution."

Mr Andre Malherbe, of the S A Society of Bank Officials, said the motion contradicted an earlier one calling for a supervised code of conduct for detainees. Calling for the government to charge or release detainees was "like banging one's head against a brick wall".

**tucsa conference**

## 'Faced guns'

Later, the conference split 57 to 47 to allow Mrs Lucy Mvubelo, general secretary of the National Union of Clothing Workers, to introduce a motion asking unions to negotiate for a special holiday on June 16.

They had agreed unanimously agreed to her withdrawing a resolution calling for the government to make June 16 a public holiday.

Mrs Mvubelo said the children of Soweto and Langa — "who faced guns when they reached a stage where they could not stand the injustice which was being done to them" — had "turned the course of history away from violence and towards conciliation and peace".

"South Africa's history is full of martyrs and there is no reason why the martyrs who are remembered should all be white."

Mrs Mvubelo asked the conference that the resolution merely be noted for "record purposes" and not discussed.

SECTION C

# Prisoner alleges torture by police

(329) (1460) Star 24/9/82

By Alex Ball

The vice-president of the South African Allied Workers' Union, Mr Sisa Njikalana, told the inquest on Dr Neil Aggett today that he was given electric shocks while being interrogated on the 10th floor of John Vorster Square.

He said that, after his arrest in East London in December last year, he was transferred to Johannesburg.

In the last week of December he was writing a statement on his trade union activities and was questioned by a Lieutenant Booysens and a Lieutenant Steyn.

Mr Njikalana said that Major Arthur Cronwright, head of investigation personnel, occasionally looked into the office where he was sitting.

"Major Cronwright looked at my statement and said I could write more. He put me against the wall and slapped and punched me." Mr Njikalana said. This happened three or four times.

At the beginning of January he was told his statement was rubbish and he would have to rewrite it.

Lieutenant Booysens and Lieutenant Steyn handcuffed him and put him in leg irons. The chain of the leg irons was put over the handcuffs so he could not move and a black bag was then pulled over his head, Mr Njikalana said.

Wires were fastened around his forearms and he was given electric shocks for about 10 minutes.

The only injury caused was scabs on his forearms which healed after three weeks, he said.

Mr Njikalana told the magistrate, Mr P A J Kotze, that he had seen Dr Aggett several times on the second floor of John Vorster Square.

Dr Aggett seemed normal until the end of January when he appeared to be very depressed and morose, he said.

Yesterday a convicted member of the anti-South African Indian Council told the inquest that security policemen assaulted him and made him stand for long periods with his right hand shackled to his right ankle.

Pramanathan Naidoo, who is serving a one-year sentence for harbouring an escaped prisoner, said he was arrested on November 27 last year. In a 10th floor office at John Vorster Square a Major Abrie punched him and banged his head on a table when he denied being a member of the African National Congress or the South African Communist Party.

Two days later he was taken to an interrogation room. His right hand was shackled to his right ankle and a bag pulled over his head. He was repeatedly asked if he was a member of the ANC or SACP.

Naidoo said a Warrant Officer Prince kicked him while he was in this position. Later a Warrant Officer Smith made him do exercises including push-ups, squats and sit-ups.

Next day he was made to strip and again handcuffed in the same position, Naidoo said. Questions by Warrant Officer Smith and a ginger-haired policeman were interspersed with jabs and kicks.

After lunch he was ordered to exercise at a fast pace.

Naidoo said that Warrant Officer Smith told him: "We want to get your body warm because in a post-mortem when the body is warm marks do not show."

He was also beaten on the soles of his feet and made to hold a chair in the air while kneeling.

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Subject... Economics II
(to be copied from the heading on the Examination Paper)

Paper No..... TWO
(to be copied from the heading on the Examination Paper)

**NOTE CAREFULLY**

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
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# Charge is withdrawn

Mail Reporter

AN ALLEGATION of furthering the aims of a banned organisation brought against a Soweto woman was withdrawn by a Johannesburg Regional Court yesterday following instructions from the Attorney-General.

Miss Baby Penelope Tyawa, 20, of Dube, Soweto, was arrested on August 25 and remanded in custody until yesterday.

Miss Tyawa had also been detained without trial on November 23, 1979, and released on April 14, 1980.

# Dr Plessis speech — no 'uproar'

WASHINGTON — South African Government officials have denied that there was any uproar in the United States over a speech this week by the Deputy Minister of Foreign Affairs and Information, Mr Barend du Plessis.

Mr du Plessis called a Press conference at the South African Embassy in Washington yesterday to denounce a report in The Star which said he had called for foreign companies to rid their black unions of political elements.

The report, he said, was a total and unfair distortion of his remarks at a conference of the Yale School of Organisation and Management. It was equally a distortion of the response to his speech, he said.

Mr du Plessis reiterated his view — expressed at the conference — that foreign employers should be aware that unions were being misused for political purposes.

**CONDEMN**

He said again that employers should condemn such abuse and isolate the responsible elements by making it clear that such activities were disapproved. But, he added, this did not imply that employers should become policemen.

The Star reported that the Deputy Minister aroused shock and disappointment among both South African and American participants, who were quizzed in the hours after the closed-door meeting.

But Mr du Plessis complained that the reporter "did not trouble to check back with me or with South African officials who were present for clarification," although he and his party left soon after his address.

He agreed there had been a question from a participant who asked him whether he was implying that the government now wanted foreign companies to police trade union activities but said he satisfied the questioner.

**AWARE**

"I said that was by no means the case. I said that all we wanted was for companies to be acutely aware of the fact that there were elements which might misuse trade unions for political purposes."

Mr du Plessis also objected to a section of the report on deaths in detention. He was reported as saying that some deaths occurred because the TV monitoring systems in their cells were thwarted.

"What I actually said," Mr du Plessis stated, "was that the Government was taking every possible step to design cells so that it would be impossible for anyone to commit suicide there."

"I said the alternat-

To Page 3, Col 4

# Man tells court of SB assault

**TWO members of the Security Branch pleaded not guilty in the Durban Magistrate's Court on Tuesday to a charge of assaulting "the" 19-year-old chairman of the Durban branch of the Azanian People's Organisation.**

Detective Warrant Officer Patrick Jacobs (25) and Detective Sergeant Mohum Gopal (29) are alleged to have assaulted Mr Bradley Potgieter by slapping, punching and kicking him and banging him with a door in an office at C R Swart Square on the evening of March 19.

Mr Potgieter testified that on the night of March 19 he was interrogated by Detective Sergeant Gopal.

Mr Potgieter said he seemed to misunderstand one of the questions and Detective Sergeant Gopal slapped his face.

The Sergeant ordered him to crouch in a corner of a room and taunted him by calling him a "pipsqueak". Mr Potgieter said he was sworn at.

When he could no longer crouch he stood up. This seemed to annoy Detective Sergeant Gopal who slapped Mr Potgieter's face and kicked his legs, he said.

Mr Potgieter added that he got the impression that the assault was to intimidate him and warn him to stay out of politics.

Mr Potgieter said he was made to stand behind the door and it was opened so that he was banged by it.

Dr L Robertson told the court he examined Mr Potgieter on March 20. He found a bruise on his left cheek with evidence of bleeding inside the mouth. There was a bruise on the back of his left elbow and bruising on his knees and thighs.

He also had some tenderness on his left side.

The hearing was adjourned until October 28. — Sapa

# Court told of torture details

By ANTON HARBER

A DETAINEE was kicked, beaten until he screamed, forced to stand for long periods and only allowed to sleep for a few hours during a seven-day interrogation session, a Johannesburg magistrate heard yesterday.

Pramananthan Naidoo was presenting a 14-page affidavit with detailed allegations of torture at the hands of the Security Police at the inquest into the death in detention of trade union leader, Dr Neil Aggett.

Mr Pieter Schabort, SC, for the Minister of Law and Order, told the court the affidavit was a mixture of lies and half-truths and the policemen involved would give evidence refuting these claims.

He said none of the other detainees had given evidence similiar to this.

Earlier, another former detainee, Mr Ismail Momoniat, told the court he had been surprised when Dr Aggett had failed to return his greeting two days before his death.

He noticed what looked like a large bruise on Dr Aggett's forehead, he said.

Mr Momoniat was also the third witness this week to testify to a noticeable change in Dr Aggett's condition in the last week of his life.

He said Dr Aggett had been standing next to him and had not responded to his greeting.

Dr Aggett was staring blankly at the wall, he said.

"I found this extremely strange since when one is in detention, meetings with other detainees are very important as one has no contact with the outside world. It boosts you for the day," he said.

Mr Momoniat said he could not explain why the bruise had not appeared at the post mortem.

● Inside Mail — Page 13

# Unionist tells court of electric shocks

Argus 24/9/82 329

Argus Correspondent

JOHANNESBURG. — The vice-president of the South African Allied Workers union, Mr Sisa Njikalana, told a Johannesburg magistrate today that he was given electric shocks while being interrogated on the 10th floor of John Vorster Square.

He told the inquest on Dr Neil Aggett that after his arrest in East London in December last year he was transferred to Johannesburg.

During the last week of December, he was kept busy writing a statement on his trade union activities and was also questioned by a Lieutenant Booysens and a Lieutenant Steyn.

**OFFICE**

Mr Njikalana said Major Arthur Cronwright, the head of investigation personnel, would occasionally look into the office where he was sitting.

"Major Cronwright looked at my statement and said I could write more. He would put me up against the wall and slap and punch me," Mr Njikalana said. This happened three or four times.

At the beginning of January, he was told his statement was rubbish and he would have to rewrite it.

**HANDCUFFED**

Lieutenant Booysens and Lieutenant Steyn handcuffed him and put him in leg irons. The chain of the leg irons was put over the handcuffs so he could not move and a black bag was then pulled over his head.

Wires were fastened around his forearms and he was given electric shocks for about ten minutes, Mr Njikalana said.

He said the only injury caused was scabs on his forearms which peeled after three weeks.

**STATEMENT**

After he finished his statement at the end of the first week of January, he was kept in a cell until May 5 when he was told he would appear in court the next day.

Mr Njikalana told the magistrate, Mr P A J Kotze, that he had seen Dr Aggett several times on the second floor of John Vorster Square.

Dr Aggett seemed normal until the end of January when he appeared to be very depressed and morose.

(Proceeding.)

A nursing tutor's pay ... go up by 30 percent ... R906.

### New category

A new category of ...sing services manager ...ch incorporates first ...trons, organizers of ...sing services and as...tant regional organiz... is to receive ...creases of 52 percent to 524 a month. The new ...ximum is R1 807. The ...rcentage adjustment is ...tween 16 and 52 ...rcent, with an average 29 percent.

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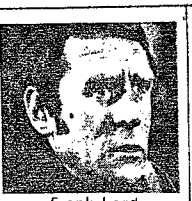
Professor Charlotte ...arle, Professor of Nurs...g at the University of ...uth Africa, said last ...ght that the increase ...s "the best deal nurses ...ve had this century" ...d was "highly satisfac...y". — Sapa



Frank Lord

# Frank Lord sacked

LONDON. — Frank Lord, manager of Fourth Division Hereford United since November 1979, yesterday became the first managerial casualty of the new Football League season.

Lord, who managed Cape Town City when they were one of the leading clubs in the old National Football League in the 1970s, was dismissed by Hereford. His contract was scheduled to run until next July.

Hereford are currently bottom of the Fourth Division, with one draw and five defeats after their first six games. — Sapa-

# Detainee tells of beating, torture

Cape Times 24/9/82 (329)

Own Correspondent

JOHANNESBURG. — A detainee was kicked, beaten till he screamed, forced to stand for long periods and only allowed to sleep for a few hours during a seven-day interrogation session a magistrate heard yesterday.

Pramananthan Naidoo was presenting a 14-page affidavit with detailed allegations of torture at the hands of the Security Police at the inquest on trade union leader Dr Neil Aggett.

Earlier, another former detainee, Mr Ismail Momoniat, told the court he had seen what he thought was a large bruise on Dr Aggett's forehead on February 3 — two days before he was found hanged in his cell.

Naidoo, a factory worker detained at the same time as Dr Aggett last year, is presently serving a one-year sentence for harbouring an escaped prisoner.

In his affidavit and cross-examination, he told the court of a 10-day period that began only hours after he was held on November 27, 1981 when security policemen:

- Allowed him only a few hours sleep during seven days of intensive questioning.
- Made him stand naked for long periods with his right-hand wrist and ankle handcuffed together.
- Made him kneel till the skin on his right knee broke.
- Placed a canvas bag over his head and punched and kicked him when his answers to their questions were unsatisfactory.
- Placed a plastic bag over his head and held his hands down. Naidoo said he managed to break loose and tear the bag off.
- Hit him on the soles of his feet with a piece of wood till he screamed.
- Made him do sit-ups, squats running on the spot and press-ups for long periods of time jabbing and prodding him if he flagged.
- Banged his head against a desk and punched him on the head.
- Shot elastic bands at his penis while he was standing naked.
- Naidoo said on the eighth day of detention he was so tired he had fallen asleep on his feet while being questioned.

"When next I became aware of what I was doing, I found myself talking." He was telling his interrogators of his role in the escape of Stephen Lee from Pretoria Central without having being questioned, he said.

### 'Major knew'

Naidoo also told the court Major Cronwright, head of the John Vorster Square interrogation team, had known of his torture and had entered the interrogation room a number of times while he was standing naked.

Mr Pieter Schabort, SC, for the Minister of Law and Order, told the court the affidavit was a mixture of lies and half-truths and the policemen involved would give evidence refuting these claims.

He said Major Cronwright had ordered Naidoo to be placed under continual observation when he might have harmed himself.

Asked why he had not reported these incidents, Mr Naidoo said he feared he would have to go through it all again.

The hearing continues today.

● Court told of 'flying Indians' sign, page 7

crack of dawn

"Of course you may give me a good-night kiss. Just blow it to me."

## BUSINESS BRIEF

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| Gold (close) .. | $437,35 |
| FT index (3pm) | 577,70 |
| RDM 100 ..... | 665,50 |
| Dow Jones ... | 925,77 |

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# NCO 'bowled' grenade at men

Own Correspondent

PRETORIA. — A national serviceman died and six others were seriously injured at a Northern Transvaal military base when a corporal "bowled" a live handgrenade at the soldiers and shouted "bang", the Pretoria Supreme Court was told yesterday.

Former Corporal Andrew Sydney George Crause, 19, of Ysterplaat, Cape Town, appeared before Mr Justice A P Myburgh on a charge of murder, six counts of attempted murder and an alternative charge under the Explosives Act.

Mr Crause is alleged to have murdered Mr Gert Johannes de Lange and attempted to murder Mr Pierre Boshoff, of Pinetown; Mr Johannes Jacob Smit, of Dispatch; Mr Petrus Gerhardus Cilliers, of Vanderbijlpark; Mr Jan Adriaan Engelbrecht, of Germiston; Mr Roger Geoffrey, of Durban North; and Mr Mark Anthony Joubert, of Florida Hills.

The soldiers were injured at Maryland Military Base near Messina on November 17 last year when Mr Crause allegedly threw a handgrenade at them while they were packing crates in an ammunition storeroom. Mr Crause was in charge of the soldiers.

Mr Crause pleaded not guilty.

The hearing continues today.

THE YEAR OF THE PRESS — DIE MAAR LEAN DIE PERS

# INSIDE

The emblem on the left marks the centenary year of the Newspaper Press Union


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# Synod rejects reply on detained

CAPE Times 25/9/82

By TONY WEAVER

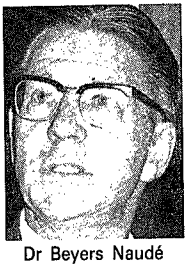
**THE general synod of the Ned Geref Sendingkerk yesterday voted overwhelmingly to reject justifications for detention without trial given by the ministers of Law and Order and Justice.**

The synod also called for the release of all detainees and the lifting of all banning orders, and called on the government not to re-ban the former Ned Geref minister and director of the banned Christian Institute, the Rev Beyers Naudé.

At its 1978 synod, the Sendingkerk had called on the government to repeal certain "un-Christian" measures relating to security legislation.

Replying to the call, the Minister of Justice, Mr Kobie Coetsee, said detention without trial was part of the government's "Christian duty to protect its subjects".

In yesterday's resolution, proposed by the Rev Jan de Waal of Wynberg, the synod rejected entirely the contents of letters from Mr Coetsee and the Minister of Law and Order, Mr Louis le Grange, explaining security laws.



Dr Beyers Naudé

The resolution labelled security legislation "Draconian" and said that "an ideology which puts State security above human rights must be completely rejected".

"Recent events", including deaths in detention, had shown that assurances of "so-called improvements" given by the government had made no difference to the treatment of detainees.

The motion then called on the government to charge or release all detainees at present being held.

In replying to the 1978 synod resolution, Mr Le Grange said: "Security legislation is necessary and I am not prepared to accept that our legislation, and the proposed new legislation in particular, is totally un-Christian. It will not be repealed by this government."

In a lengthy letter dated June 9, Mr Coetsee set out his justification for detention, saying: "We find ourselves in an abnormal situation where the people carrying out these onslaughts against us completely disregard the 'Rule of Law'."

He added: "There are other detainees against whom charges can be laid in court. But because of the sly manner in which they work, it sometimes takes a long time to investigate their cases in order to obtain sufficient evidence."

He concluded: "If your request not to use these provisions was acceded to, I can give you the assurance that no person's life would be safe and nobody could sleep peacefully at night."

An amendment in the synod yesterday calling the replies "pleasant" and "satisfactory" was rejected with only nine votes in favour.

Replying to the amendment, the Rev A D Stevens of Ebernezer said: "We have been brainwashed by talk of total strategy. We are not showing the government a clenched fist, but these are laws which bring tragedy and suffering into the lives of our people."

He then proposed another motion which called for the lifting of all banning orders which, he said, had the effect of "making people silently disappear, doomed to a Siberian existence ... liquidated from the political arena".

Nine delegates voted against the motion on detentions while three opposed the resolution calling for the lifting of all banning orders.

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EVERY CANDIDATE MUST enter in

ALL answer books n

Number of books

Number of this book

Surname (In block letters)

First Name(s)

Date

Degree/Diploma/Certificate for which you are registered (e.g. B.A., B.Sc.)

Subject (to be copied from the heading on the Exam

Paper No (to be copied from the heading on the Exam

NOTE CAREFULLY

1. Enter at the top of each page and in colun of the block on this cover the numbe question you are answering.
2. Blue or black ink must be used for w answers. The use of a ball point pen is ac able. Red or green ink may be used on underlining, emphasis or for diagrams which pencil may also be used.
3. Names must be printed on each separate (e.g. graph paper) where sheets additio examination book(s) are used.
4. Do not write in the left hand margin.

Any dishonesty will render the candidate li

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# Delegation sees Sebe over detainees

329 E. Post 25/9/82

By KEITH ROSS

EAST LONDON — A delegation from the East London Detainees Support Committee this week met the head of Ciskei's security services, Major-General Charles Sebe, to discuss conditions under which prisoners are held.

The committee was represented by Mr S Ndjuta, Mr D Tandani, Miss N Botha and Mrs E Qwati.

A spokesman for the committee said the meeting with Gen Sebe was "satisfactory".

"I hope we will get a similar audience in future, when we have matters that need to be discussed," he said.

The delegation handed Gen Sebe a written statement, in which the committee expressed its concern about conditions under which some prisoners were detained.

The statement listed these points of concern:

- Some detainees are held for up to 12 months without trial.
- Some detainees are held in solitary confinement, which could be a major cause of depression.
- Some families are not notified immediately of the detention of a relative. This creates anxiety.
- Some detainees and awaiting trial prisoners are denied access to lawyers, doctors and ministers of religion of their own choice.
- Some awaiting-trial prisoners and detainees are denied access to their families and relatives, as well as food parcels and changes of clothing on a regular basis.
- Some are denied access to reading and study material.

The statement expresses the committee's concern about the decline in Christian and civilised norms shown by the conditions under which detainees are held prisoner.

When asked to comment on the statement Gen Sebe said he had reached "no consensus" with the committee.

"I do not want to say anything about it and I want nothing to do with those people," he said.

"I am used to dealing with wolves in sheep's skins."

329 (129) (68) RDM 25/9/82

# US firms back 'due process'

By JOHN MATISONN

WASHINGTON. — The controversial remarks of Mr Barend du Plessis, Deputy Minister of Information, at a Yale University conference were taken to mean the Government would like American firms to isolate political agitators in trade unions so that action could be taken against them, according to the conference's closing address.

Mr John Kane-Berman, freelance journalist and author of "Apartheid and Business", referred to the Mr Du Plessis' remarks, without naming the Deputy Minister, to show that some American businesses were becoming constructively engaged in terms of the Sullivan Principles with South Africa to get their views across.

Constructive engagement was evident at the conference in the response of participants to remarks which were taken to mean the Government would like to see US firms isolate political agitators in the unions so that action could be taken against them, he said.

Mr Kane-Berman told the conference that, as he understood it, the conference had made it clear American business did not approve of violations of the due process of law.

This message was an example of constructive engagement for which every person in detention, or threatened with detention, was indebted to the businessmen who took that view at the conference, he told delegates.

He agreed with Mr Du Plessis that the Government deserved credit for the positive advance in Government policy which allowed black trade unions to be recognised under the law.

One American businessman told Mr Du Plessis that due process of law was a strong American tradition — that individuals accused of a crime should be prosecuted, not detained without trial.

During lunch and tea breaks a number of businessmen expressed surprise that a South African Deputy Minister could convey the impression American businessmen were expected to condone or co-operate with procedures which ignored due legal processes, Mr Kane-Berman said in an interview yesterday.

"It was quite clear to me from a variety of opinions that Americans reacted with incredulity that a Government spokesman would expect them to condone detention without trial", he said.

In his closing remarks Mr Kane-Berman, the conference's keynote speaker, said there had been a quiet revolution in the attitudes of managements to black unions in the 12 years he had reported on the South African labour scene.

A trade unionist at the conference, Mr Halton Cheadle, was banned in 1974 after being active in the revival of the union movement in Durban.

"I am sure that, with the exception of two or three businessmen, the business community would have welcomed it," Mr Kane-Berman said.

Yet at the conference businessmen had expressed concern about detentions without trial, influx control, large-scale resettlements, and the de-nationalisation of over a 7-million black South Africans.

329

## Aggett inquest told of assault by Maj Cronwright

# Detainee tells of chains and electric shocks

By ANTON HARBER

SECURITY police gave a detainee electric shocks while his hands and feet were chained together during his interrogation, the Johannesburg Regional Court was told yesterday.

Mr Sisa Njikelana, 26, giving evidence at the inquest on trade union leader Dr Neil Aggett, who died in police detention, added that he was assaulted by Major Arthur Cronwright, head of the John Vorster Square interrogation team.

He was also the fourth former detainee this week to tell the inquest of a marked change in Dr Aggett during the last weeks of his life.

Mr Njikelana, vice-president of the SA Allied Workers' Union, was detained on December 8 last year. He was released on May 6 after facing charges in court under the Terrorism Act.

He told the magistrate Mr Petrus Kotze yesterday that he was taken to the 10th floor of John Vorster Square every day during the last week of December and made to write a statement.

"At certain times, Maj Cronwright came into the room. He looked at my statement and said I had not written enough. He took me by the front of my shirt and pushed me against the wall.

"He then slapped me and punched me," he said. This happened three or four times.

In the first week of January, he was told his statement was inadequate.

"They put handcuffs and leg irons on me and the leg irons ran through the handcuffs, so I had to squat," he said.

A canvas bag was over his head and he felt something strapped to his arms. He said he was then given electric shocks intermittently for 30 minutes, his body vibrating from the current.

Afterwards his body was very stiff and sore, he said. Three weeks later he found scabs on his arms while he was showering. Under cross-examination he said he could not explain why he had not noticed them before.

Speaking slowly and quietly, the young trade union leader said he had been a good friend of Dr Aggett's and had seen him a number of times in prison, in the shower or when they were both being taken for interrogation.

The last time was a week before Dr Aggett's death on February 5. "He was morose and very depressed. He was not the Neil Aggett I knew from before. He answered my greeting in the manner of someone who is seriously ill," the court heard.

Mr Njikelana also described a meeting in January when Dr Aggett had shown him a large, triangular red mark on his arm.

Asked by Mr Pieter Schabort, SC, for the Minister of Law and Order, why he had not reported his maltreatment to the Inspector of Detainees, the District Surgeon or a magistrate, he said he "feared repercussions.

"I distrusted the Inspector of Detainees in the sense that I felt I was completely under the control of my interrogators," Mr Njikelana said. He told the Inspector of Detainees he had been treated well.

Mr Schabort said police witnesses would deny he had been given electric shocks or assaulted.

The court was adjourned to 11.15am on Monday.

# Blyton is still top of the pops

London Bureau

LONDON. — Enid Blyton's books are still the favourite reading matter for 11-year-olds, according to a government-sponsored survey.

While girls outnumber boys by two to one in naming Miss Blyton as their favourite author, both sexes love the "Famous Five" series.

Her books were adventurous, funny, never boring and the endings were always happy, the children repeatedly told researchers.

Some sophisticated souls, however, were critical. Miss Blyton's books were unrealistic, the plots predictable, the heroes "get out of trouble too easily" and the vocabulary was monotonous, they complained.

Authors next in popularity were Roald Dahl (in particular his "Charlie and the Chocolate Factory"); C S Lewis ("The Lion, the Witch and the Wardrobe"); Richard Adams ("Watership Down"); Anna Sewell ("Black Beauty") and Johanna Spyri ("Heidi").

The survey, conducted among nearly 10 000 pupils in primary schools in 1979 and 1980 is part of an attempt by the Assessment of Performance unit to assess the language performance of children in schools.

# Appeal over novel by Robbins

CAPE TOWN. — The Directorate of Publications has appealed against a committee decision that the uncorrected book proof of Harold Robbins' novel "Spellbinder" was not undesirable.

The directorate also announced yesterday that an appeal had been lodged against a committee finding that James Kirkwood's "Some Kind of Hero" was not undesirable.

The Publications Appeal Board had decided that Jackie Collins's "The World is Full of Married Men" is undesirable and had set aside a committee decision that the novel was not undesirable.

From today it will be an offence to import and/or distribute the following undesirable publications:

Women, Sex and Pornography (Beatrice Faust); Night of the Apache (Ruff Justice No 2) (Warren T Longtree); Slave Hunter (The Trialsman No 10) (Jon Sharpe); The New Massage (Gordon Inkeles); But Not For Long (Unity Hall); Playboy's Party Jokes No 7 (Playboy Paperbacks, New York); I (Anonymous); Fight Racism, Fight Imperialism. No 21, July/ August 1982 (Larkin Publications, London); Marxism and Party (John Molyneux); Masingehlukaniswa. No To Land Deal. (Pamphlet) (issued by the African National Congress of South Africa).

On September 10, 1982, the directorate had appealed against a committee decision that "Russia in Revolution: History Broadsheets No 1-24" by Graham Bearman and Peter Lee was not undesirable. The Publications Appeal Board had decided that "The

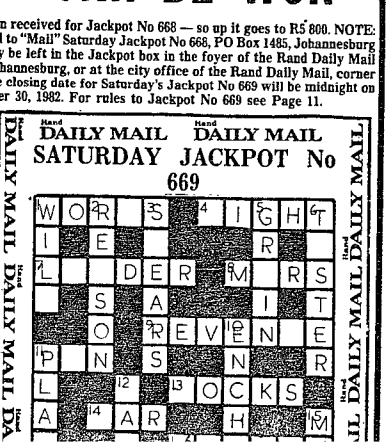
# R5 800 CAN BE WON

**There was no correct solution received for Jackpot No 668 — so up it goes to R5 800. NOTE: Post your entry on a postcard to "Mail" Saturday Jackpot No 668, PO Box 1485, Johannesburg 2000. Unstamped entries may be left in the Jackpot box in the foyer of the Rand Daily Mail Building, 171 Main Street, Johannesburg, or at the city office of the Rand Daily Mail, corner Rissik and Jeppe streets. The closing date for Saturday's Jackpot No 669 will be midnight on Thursday, September 30, 1982. For rules to Jackpot No 669 see Page 11.**

ACROSS

1 Foreign ... are often hard to translate with a high degree of precision.
4 Feeling ... is a strange sensation.
7 Generally speaking, ... should combine strength with skill.
8 Planet or god of war.
9 Search for ... is likely enough to meet a number of obstacles.
11 ... can be something very much twisted.
13 Skipper may well order reduced speed when approaching ...
14 ... might prove short-

DAILY MAIL SATURDAY JACKPOT No 669



select committee of Parliament.

# I was shocked — detainee

Cape Times 25/9/82 (329)

**Own Correspondent**

JOHANNESBURG. — Security police gave a detainee electric shocks while his hands and feet were chained together during interrogation, the Johannesburg Regional Court was told yesterday.

Mr Sisa Njikelana, 26, giving evidence at the inquest on trade union leader Dr Neil Aggett, who died in police detention, added that he was assaulted by Major Arthur Cronwright, head of the John Vorster Square interrogation team.

Mr Njikelana also described a meeting in January when Dr Aggett had shown him a large, triangular red mark on his arm.

He was also the fourth former detainee this week to tell the inquest of a marked change in Dr Aggett during the last weeks of his life.

Mr Njikelana, vice-president of the SA Allied Workers' Union, was detained on December 8 last year. He was released on May 6 after facing charges in court under the Terrorism Act.

He told the magistrate, Mr Petrus Kotze, yesterday that he was taken to the 10th floor of John Vorster Square every day during the last week of

To page 2

Cape Times 25/9/82

From page 1329

December and made to write a statement and at various times assaulted and given electric shocks.

He said he saw Dr Aggett a number of times in prison, in the shower or when they were both being taken for interrogation.

The last time was a week before Dr Aggett's death on February 5. "He was morose and very depressed. He was not the Neil Aggett I knew from before. He answered my greeting in the manner of someone who is seriously ill," the court heard.

Asked by Mr Pieter Schabort, SC, for the Minister of Law and Order, why he had not reported his maltreatment to the Inspector of Detainees, the District Surgeon or a magistrate, Mr Njikelana said he "feared repercussions".

Mr Schabort said police witnesses would deny he had been given electric shocks or assaulted.

The court was adjourned to 11.15am on Monday.

## Too late for classification

**BIRTHS**

**COOK.** — To Richard and Sue (nee Dommisse) a little Richard in East London. All well including Boet and Anne.

**DEATHS**

**KELLER** — Amy (nee Saunders), beloved mother of Jean and Kathleen in her 94th year. Greatly loved by grandchildren and great-grandchildren and all who knew her. Funeral arrangements later.

7.10: Kgutlo-Pono Thorizon. The Tsetse Trap. Success in Africa. A continuation of the battle against the tsetse fly in Africa.

7.40: Mpolelele Dilo (Quiz). Featuring Gaboro e Mothibedi Damaris Rachaka and David Shinka Presented by Tsholangang Mhikoe.

8.00: Incutshe (The Star). This is the final programme. The finals for the year's soccer competition are taking place under floodlights. Produced by Simon Sabela and Pierre Hinch.

8.30: Kungawe Ke (Have a Crack). Events taking place are peanut-eating, brick-pushing, male-shouting and balloon-blowing. Produced by Paul Raleigh and presented by Donald Tshomela.

9.00: Izindaba/Iindaba (News)

9.25: Iphunga Elimnandi, Ukufa Komzimba (Epilogue). Produced by H L M Nosi and presented by A Q Zuma.

9.30 Ezemidlalo/Dipapadi/Metshameko (Sport)

**Tomorrow's TV2 AND 3**

10.30: Hlanganisani Izandla (Hands Together). Peter's Denial. Oupa tells us the story of Peter. Mr Kheswa and the children act out the story. Produced by Paul Raleigh.

10.45: Abanqobi (Youth Quiz and Talent) Repeat.

11.00: Ubuthunywa. Ukunakekela Abakhubazekile (Mission — Cripple Care). A look at such cripple care institutions as Madameni and Letaba. Produced by Bill Price.

11.30: Unqambothi. A programme of choral music. Produced by K D Mofokeng.

11.50: Siphe Isonka Sehu. Ukuzalwa Ngokutsha (Studio Service). Produced by E M Ncusane and presented by R R Bali.

12.00: Botshelo Ba Ga Morena Jesu (The life of Jesus Christ). Lebogang Dire tells us more about the resurrection of Jesus. Produced by Danie Odendaal.

12.15: Iketleng. Spiritual music by Moruti Ndlovu. Produced by M S Rampe.

12.30: Mmampodi. Repeat.

1.00: Nshi (The House Fly). A documentary programme on common house flies — their development and movements, how they carry diseases, and how we can keep them under control.

6.30: Ezangesonto/Esangecawa (Sunday Deadline)

7.00: Izindaba/Iindaba (News)

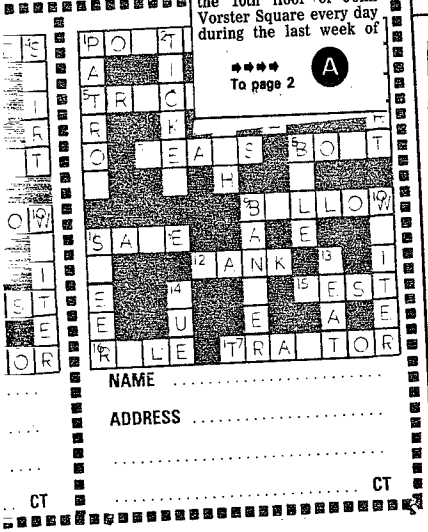
7.20: Ezangesonto/Ezangecawa (Sunday Deadline)

8.00: Program to be announced

8.30: Mmino Tswako (Music)

9.00: Ditaba/dikgang (News)

9.20: Metswalle Moreneng. Lethloyo (Studio Service). Produced by J M Camaifo and presented by Dr M S Pitikoe.



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# Inquest hears torture claims of Aggett's fellow detainees

**FOUR former detainees this week gave the Johannesburg Regional Court some of the most detailed allegations of Security Police torture ever heard.**

The detainees, giving evidence at the inquest into Dr Neil Aggett's death while in detention on February 5, also told of a marked deterioration in his condition in the week before he was found hanged in his John Vorster Square cell.

## 'HIS CONDITION WAS POOR — HE IGNORED ALL OUR GREETINGS'

Sunday Express Reporter

Mr Ismail Momoniat, Mr Sisa Njikelana, Mr Keith Coleman and Mr Thabo Lerumo were among the 56 people detained at John Vorster Square at the same time as Dr Aggett.

All four said they had been surprised to notice a major change in Dr Aggett's condition prior to his death. Three of them said he had ignored their greetings.

Mr Coleman, a student, said Dr Aggett had been keeping a shirt that had been torn during an interrogation session as evidence of assault and had been planning to lay a charge when released.

Mr Momoniat, an executive member of the Transvaal Anti-SAIC (South African Indian Council) Committee, said he had seen what looked like a large bruise on Dr Aggett's head during the same period.

He had been surprised when Dr Aggett had not responded to a greeting when they were standing next to each other. Dr Aggett was staring blankly at a wall, Mr Momoniat said.

Allegations of the maltreatment of Mr Momoniat were ruled inadmissable by the magistrate, Mr Petrus Kotze.

Mr Lerumo, 19, on trial under the Terrorism Act, said he had seen Dr Aggett being taken back to his cell — crying and with a spot of blood on his forehead — only hours after he died.

During the last week of his life, Dr Aggett was walking with difficulty and was much less talkative, he said.

Mr Njikelana told the court he had been given electric shocks during his interrogation.

Also giving evidence was Premananthan Naidoo, who is serving a one-year sentence for harbouring escaped political prisoner Stephen Lee.

Mr Naidoo said that during a nine-day interrogation session, security policemen:

- Allowed him only a few hours sleep in seven days. He had fallen asleep on his feet and woken up to find himself confessing things he had never been questioned about.
- Beat him until he screamed, once while he had a canvas bag over his head.
- Made him stand naked for long periods of time, often with a leg and a wrist handcuffed together, sometimes holding a chair above his head.
- Made him kneel for so long the skin on a knee had cracked.
- Made him do exercises for long periods.
- Threatened him with death.

Mr P Schabort SC, for the Minister of Law and Order, said police witnesses would deny this evidence.

The inquest resumes tomorrow.

# WITNESSES TELL OF SECURITY POLICE TORTURE AS THE AGGETT INQUEST CONTI

By CHARLENE BELTRAMO

**SHORTLY before the Aggett inquest adjourned at the end of June, counsel for the Minister of Law and Order complained it had been turned into "a commission of inquiry into security legislation."**

**This week "the commission" resumed with the packed court hearing graphic accounts of alleged torture of detainees by security police.**

Mr Aubrey Aggett and Dr Liz Floyd outside court

Seven people who were in detention at the same time as Dr Neil Aggett, a trade unionist who died in security police detention at John Vorster Square on February 5, gave evidence of security police interrogation methods and of the occasions they had seen Dr Aggett while in detention.

Mr Thano Lerumo, a 19-year-old Cosas student and awaiting-trial prisoner, was probably one of the last detainees to see Dr Aggett alive.

"I was sweeping the floor of the second floor detention cells when Dr Aggett, accompanied by two security policemen, walked by.

"He was not allowed to return my greeting. He was having difficulty walking and had tears in his eyes and a clot of blood on his forehead."

Mr Lerumo, who frequently came into contact with Dr Aggett in detention, said Dr Aggett's condition seemed to deteriorate towards the end of January this year.

"He said he was persistently being told he was a member of the African National Congress, which he denied."

Another detainee, Mr Pramanathan Naidoo, was allowed to give evidence despite an objection by Mr P. Schoabort, counsel for the Minister of Law and Order, because he allegedly endured experiences similar to Dr Aggett's.

Mr Naidoo is presently serving a prison sentence for harbouring an escaped prisoner, Stephen Lee, who escaped from Pretoria Central prison with Aleander Moumbaris, three years ago.

Mr Naidoo alleged he was forced to remain awake for seven days on one occasion while continuously interrogated.

On the first day he was detained — November 27 last year — Mr Naidoo alleged, a major R. Arbrie, "smacked" him a few times, pulled his hair and banged his head on the desk.

"He then made me squat in a corner facing the wall. I was then taken to what looked like the tea office and made to squat again. Somebody hit me on the back of my head."

Three days later, Warrant Officer W. Smith and a ginger-haired policeman began interrogation by asking continuously: "When and where did you join the ANC and the SA Communist Party?"

Mr Naidoo denied belonging to either. He claimed security police wanted him to admit to being a "cell leader".

He claimed that on another occasion during forced exercise, a policeman knocked him over, stood on his arm and hit him under his feet until he screamed.

On Wednesday, December 3, he said he spent most of the day on his knees as he was punched and kicked and his hair pulled.

"Later a policeman called 'Schalkie' came in with an elastic band and spent a long time shooting it at my naked private parts. They all laughed."

Mr Naidoo claimed this happened frequently and that in December, while naked, a bow was tied around his neck and his private parts. "Everyone, including Major Arthur Cronwright, came in and had a good laugh."

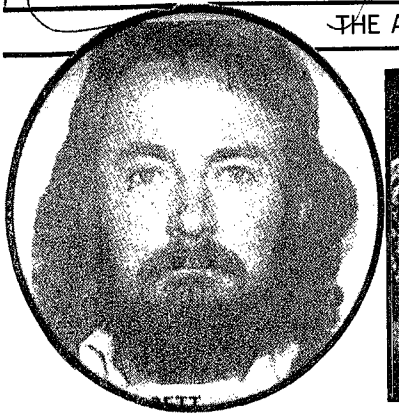
Mr Naidoo said no attempt was made during his detention to prevent him from injuring himself and that his cell had loose, insulated, electric wires.

"If I'd wanted to, I could have electrocuted myself."

Mr Sisa Njikalana, vice-president of the South African Allied Workers' Union, alleged Major Cronwright used to interrupt the writing of his statement to "push me against the wall and slap and punch my face".

The inquest resumes next week.

THE AGGETT CASE



Mr George Bizos, SC (right), who is representing the Aggett family, talks with

# I was ill-treated sexually, says witness

PREM NAIDOO, a small and slightly built man, says he was stripped naked and his right hand manacled to his right ankle.

A canvas bag was put over his head. At times, he says, a security policeman named "Schalkie" shot rubber bands at his genitals.

Sisa Njikelana, a quietly spoken trade union leader from East London, speaks, too, of having had his hands and legs manacled together, and of a canvas bag having been put over his head.

He says that in this posi-

tion, electric shocks were applied to his arms.

Both men were arrested by the Security Branch of the SAP. Both men speak of having been beaten. They name policemen they say were in-

Both were detained at Johannesburg's John Vorster Square. And this week they told their stories at the inquest into the death of Dr Neil Aggett.

In the case of Mr Naidoo, a

who is currently serving a prison sentence, his story was told despite strenuous objections from Mr Pieter Schabort, SC, representing the Minister of Law and Order.

Mr Schabort argued

against the admission of evidence, asserting to Mr J J Kotze, the magistrate, t for the admission of such e dence in the Aggett inques was necessary to show t there was a "concerted dus operandi".

Report by BRUCE LOUDON

From left to right, Mr and Mr Aubrey Agett, the late trade unionist's parents, Dr Liz Floyd, his girlfriend, and Mrs Jill Burger, his sister.

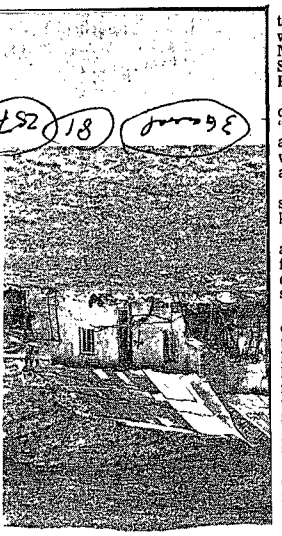
# Lies and half-truths, says the police lawyer

At the end of a morning of argument, Mr Kotze, who is being assisted by an assessor, Professor L S Smith, a senior government pathologist, ruled in two crisp sentences that "evidence given by Mr Naidoo is admissible: Mr Naidoo shall be called".

The prisoner's testimony provided one of the most interesting stages of the long inquest into the death of Dr Aggett, whose body was found in his cell at John Vorster Square last February.

Mr Naidoo said he was arrested on a Friday in October last year. He was taken to John Vorster Square and, according to his testimony, almost immediatedly beaten — his head having been banged on a desk top.

He spent the weekend in a cell, and on the following Monday morning was escorted to the 10th floor of the building.



"A Warrant Officer Smith took me into an office and told me: 'The game is up.' If I co-operated, everything would be OK — but if I didn't, they had ways and means of getting things out of me," Mr Naidoo told the court.

He was, according to his testimony, asked repeatedly when he joined the African National Congress or the South African Communist Party.

His right hand was handcuffed to his right ankle. "Smith took out a canvas bag and put it over my head. It was very hot. Again I was asked the same questions.

"Every now and again someone would give me a kick.

"This continued until late afternoon, with only a break for lunch. Then I was made to do exercises like push-ups, squats and sit-ups."

He spent the night in his cell, and on the Tuesday was taken back to the 10th floor. He was stripped and his right hand was handcuffed to his right ankle. The same questions about the ANC and SACP were asked of him. He gave the same negative answers.

In the afternoon, Mr Naidoo said, he was made to do more exercises.

On the Wednesday, Mr Naidoo said, he was again stripped in WO Smith's presence — and made to kneel down with his hands up in the air. When his arms sagged he was punched and kicked.

MR P SCHABORT
Objected

He spent most of the day in this position. He was again questioned along the same lines.

"A policeman named Schalkie came in and spent a long time shooting at my penis with an elastic band," said Mr Naidoo. "They all laughed. Another policeman — I think he was a Lieutenant Venter from Thabazimbi — also pulled my hair and shot at my penis with an elastic."

At other stages, Mr Naidoo said, a plastic bag was put over his head — but he managed to rip it off. Throughout the Wednesday night he was kept standing or made to do exercises.

he was made to stand or kneel — and to hold a chair above his head.

He was kept at John Vorster until the Friday afternoon, a week after his arrest. He was insulted and called a "coolie" and a "kerriegat".

He was, he said, told by WO Smith that "when they detain a lot of people, one dies — and he thought it would be me".

He was asked whether he knew that John Vorster Square was known as "Timol Heights". After they had finished with him the name would be changed to "Premá Heights".

## Terror

And, said Mr Naidoo, he was taunted with the jeer that around John Vorster Square one had to be careful of "low-flying Indians".

At some stage, he told the inquest, a paper bow was tied around his genitals, and another around his neck. A number of policeman entered the room where he was being held and had a laugh.

On the Friday afternoon he was allowed to dress and told he was leaving. "I was terrified because I thought they were taking me somewhere to kill me," said Mr Naidoo.

In fact, he was put in leg irons and taken to Vereeniging police station. He was put in a cell and allowed to sleep for a while.

Then he was taken to an office where WO Smith made him strip, clench his fist and sing "Nkosi Sikelele Afrika."

"I lost all track of time," said Mr Naidoo. "Suddenly I realised that I was talking in my sleep — and talking into a tape recorder."

Mr Naidoo said that on that Saturday afternoon in Vereeniging he was questioned about his involvement in the escape from prison of Stephen Lee, who had been convicted under the Terrorism Act (Mr Naidoo was subsequently convicted for this and is presently serving a jail sentence).

## Shocks

He wrote his statement on the Sunday night, and on the Monday was taken back to John Vorster Square. He was then taken back to Vereeniging where further harassment followed. He was charged under the Prisons Act on March 4.

Mr Schabort, in cross-examining Mr Naidoo, contended that his statement to the inquest was "a train of lies and half-truths aimed at dis-

Mr Njikelana, vice-president of the SA Allied Workers Union based in East London, and a friend of Dr Aggett, said he was arrested on December 8 last year and brought to John Vorster Square on the 13th.

He was interrogated from December 21 onwards, and asked to write a statement. At the beginning of January he was told that his statement was "s..." and that he should rewrite it.

A Lt Booysen handcuffed him and put his legs in irons. Electric shocks were applied to his arms while he was questioned.

Mr Njikelana said he saw Dr Aggett at various times when they were both at John Vorster. When he saw the former trade union leader towards the end of January "he appeared very depressed and was morose".

Mr Naidoo and Mr Njikelana are among a number of former detainees who will testify before Mr Kotze about their own experiences at John Vorster Square and elsewhere.

According to lawyers, the inquest seems likely to last several more weeks.

Among the keenest observers at the inquest are elderly Mr and Mrs Aubrey Aggett, of Somerset West, the parents of Dr Aggett. Also in court constantly are his sister, Mrs Jill Burger, and his girlfriend, Dr Liz Floyd, herself a former detainee.

MR P A J KOTZE
Evidence admissable

The family is being represented by Mr George Bizos, SC.

Mr Aggett and Mrs Burger are planning to go to the United States next month to accept an award made by American trade unionists to the late Dr Aggett.

(329) Sept. 1982 Star

# More evidence on SP 'shock treatment'

By Joe Openshaw, Court Reporter

A former detainee told a Johannesburg magistrate today that while being interrogated by Security Police at John Vorster Square, he was manacled arm-to-ankle in a crouching position, a canvas bag was placed over his head and he was given electric shocks when he gave answers considered unsatisfactory.

The detainee, Shirish Nanabhai, who is serving a year of a three-year sentence for having helped prisoner Stephen Bernard Lee escape, was giving evidence at the inquest on Dr Neil Aggett, who died on February 5.

He said he had been arrested on January 5 and held at the Norwood Police Station. The "shock treatment" had been administered to him on the tenth floor of John Vorster Square during interrogation.

Nanabhai said he was taken to John Vorster Square the day after his arrest. He had refused to answer questions and was taken back to the Norwood Police Station.

"On the morning of January 8 I was again taken to John Vorster Square and questioned by members of the Security Police," he said.

"Among them were one called Schalkie, Warrant Officer Des Carr and Lieutenant Venter.

"When I did not answer questions satisfactorily, I was manacled in a crouching position and a canvas bag was pulled over my head.

"I felt something like the bands used by doctors when they take your blood pressure being tied around my upper arm.

"I was then given an electric shock and was completey shaken.

"I was shocked on several occasions and I do not know how long this took. I was later released and taken to another office."

The next morning, said Nanabhai, he was again taken from Norwood to John Vorster Square and manacled. A canvas bag was again placed over his head and he was "given the shock treatment."

Asked by Mr A P de Vries, who is appearing for the State, who the policemen were who gave him electric shocks, Nanabhai said he could not identify them because he could not see them.

"I had this bag over my head and was facing the wall. The policemen were behind me. But I believe Warrant Officer Carr and Lieutenant Venter were there."

Nanabhai said that after two days of intensive interrogation he was taken to the Johannesburg Zoo.

"I did not know why I was taken there or what was meant by taking me there. It just seemed like an outing."

Under cross-examination by Mr S Burger, who appeared for the police, Nanabhai said the policemen had not suggested they would feed him to the lions.

(Proceeding)

# Wife,30, axed to death

Argus Correspondent

DURBAN — Mrs Helen Jacobs 30 was found axed to death in her home in Delaware Avenue Durban North today

Mrs Jacobs was the wife of Durban bookmaker Mr Chris Jacobs

It is understood police are searching for an African man

Mrs Jacobs was apparently suffering from influenza and did not go to work today

A man she employed to work in the garden went into the house and allegedly refused to leave

Neighbours later found the body in her bedroom. She had been hit on the head and body with an axe

# Soviet divorces soar

Argus Correspondent

MOSCOW. — Russia's divorce rate had climbed by at least 40 percent in 10 years, a Moscow report disclosed.

# Former detainee tells of shock treatment

ARGUS 27/9/82 328

Argus Correspondent

JOHANNESBURG. — A former detainee told a Johannesburg magistrate today that while being interrogated by security police at John Vorster Square he was manacled in a crouching position, a canvas bag was placed over his head and he was given electric shocks when his answers were considered unsatisfactory

Mr Shirish Nanabhai, who is serving one year of a three-year sentence for helping Stephen Bernard Lee escape, was giving evidence at the inquest on Dr Neil Aggett.

He said he had been arrested on January 5 and held at the Norwood police station. The "shock treatment" was administered to him on the tenth floor of John Vorster Square during interrogation.

The first time he was taken to John Vorster Square was the day after his arrest. After he refused to answer questions, he was taken back to Norwood.

"On the morning of January 8, I was again taken to John Vorster Square and questioned by members of the security police. Among them was one called Schalkie, Warrant Officer Des Carr and Lieutenant Venter

"When I did not answer questions satisfactorily, I was manacled in a crouching position and a canvas bag was pulled over my head

"I felt something like the bands used by doctors when they take your blood pressure being tied around my upper arm.

"I was then shocked — given an electric shock — and was completely shaken by this.

"I was shocked on several occasions. I do not know how long this took but I was later released and taken to another office where I was given soup and bread, for lunch I think," said Mr Nanabhai.

The next morning Mr Nanabhai was again taken from Norwood to John Vorster Square, manacled with a canvas bag placed over his head and "given the shock treatment".

Asked by Mr A P de Vries, who is appearing for the State, whether he could say who the policemen were who gave him electric shocks, Mr Nanabhai said he could not say who they were because he could not see them.

"I had this bag over my head and was facing the wall. The policemen were behind me but I believe Warrant Officer Carr and Lieutenant Venter were there."

After this session of shock treatment, he was again taken back to the Norwood police station

(Proceeding)

# Bus drivers robbed at gunpoint

Crime Reporter

TWO City Tramways bus drivers were held up at gunpoint at the weekend and robbed of more than R200 in cash.

Mr Wilfred Steer, 25, was robbed of R120 at 7.25 pm on Saturday after two men boarded the bus at a stop on Duinefontein Road, Heideveld, and threatened him with a firearm.

Just over an hour later Mr Paul Olivier, 44, was robbed of R100 by two men, one of whom was armed, at a stop on Lansdowne Road, Philippi.

No shots were fired and no arrests have been made

● In The Strand an elderly woman was attacked and robbed of R30 when she was walking near her home in Neethling Street.

Mrs Aletta Mouton, 86, was allegedly punched in the face and thrown to the ground.

A 14-year-old youth has been arrested.


2000 Golfs la

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tinues.

In the history of South African motoring,
o series of cars have ever sold over
) models.
The first was the Volkswagen Beetle.

The world's most fuel efficient cars.

Volkswagen success comes from engineering excellence. The kind that makes the potent 1,3 litre Golf GL South Africa's most economical petrol engined car. And Golf GL Diesel the most fuel efficient four cylinder production car in the world.

The most spacious car on the road.

Golf's rear seat configuration folds

Golf power

Golf not only fast. Golf GT 0-80 km/h in Acceleration few sportscar

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The VW emb For over 30 y compact cars for Economy,

# Inquest told police looked wild-eyed

ARGUS 28/9/82

329

Argus Correspondent

JOHANNESBURG. — A former detainee, Mr Gabriel Jabulani Ngwenya, told a Johannesburg inquest magistrate today he particularly remembered seeing Dr Aggett on the 10th floor of John Vorster Square on January 25. Another detainee has said he saw Dr Aggett being assaulted that day.

Mr Ngwenya was giving evidence under cross-examination at the inquest on Dr Aggett, who was found dead in his cell on February 5.

He said he had been taken from the cells to the 10th floor because his parents had written to the Attorney-General complaining he had been assaulted.

**DOCTOR**

"I was taken to a doctor to explain when and how I was assaulted.

"I saw a policeman bring Dr Aggett to an office. After that two policemen came into the office where I was. Their eyes looked wild.

"I thought they were going to assault me. I was frightened. They looked around and then went to the office where Dr Aggett was. They slammed the door shut.

"I did not see or hear or what went on in that office," Mr Ngwenya said.

Mr P Schabort, for the police, asked Mr Ngwenya whether he knew it had been alleged that Dr Aggett was assaulted in that office on January 25.

Mr Ngwenya said he had read about the allegation in a newspaper.

(Proceeding.)

# Unknown detainee's body disappears

**Mail Africa Bureau**

WINDHOEK. — The body of a detainee held under a security proclamation at the Ruacana Military Base disappeared on its way to a mortuary, after the detainee was assaulted and shot dead for alleged escape from captivity, an Ondangua inquest court has heard.

According to statements the body, which was dispatched to the Oshakati mortuary as that of an unknown person who died an unnatural death, disappeared at the Ruacana airstrip and never arrived in Oshakati.

The statements said the detainee was detained by an officer of the military intelligence section of 51 Battalion.

He was then probably locked up at the detention barracks of the Ruacana base without the knowledge of the junior rank.

Rifleman A P Labuschagne, who shot the detainee with an R4 machinegun, said the detainee ran away and he fired three shots.

No medical report was submitted to the inquest magistrate as an autopsy could not be carried out because the body had disappeared.

The magistrate ruled that the identity of the detainee was unknown, and said no-one could be held criminally liable for his death because he tried to escape from lawful detention.

# Aggett witnesses tell of assault

Sowetan 28/9/82

329

**By SAM MABE**

**A FORMER detainee testifying in the inquest of Dr Neil Aggett yesterday said that, when he had seen Aggett two days before his death, his face had looked lean and he had walked as though there was something wrong with his private parts.**

Mr Jabu Ngwenya (28), an organiser for the General and Allied Workers' Union (Gawu), said Dr Aggett had told him that he had been assaulted and electric shocks had been applied on him. He had also showed him marks on his arms.

Mr Ngwenya had been in detention since November last year and was released about two weeks ago without being charged. He told the court of death threats while Security Police were asking him of his dealings with Mr Cedric Mayson, who is currently facing charges of high treason and on his dealings with the banned ANC.

**ANC**

He said Major Cronwright had told him that Mr Mayson had met with Mr Thabo Mbeki, an official of the ANC, and that he had thereafter given him (Ngwenya) instructions to form a committee so that members of the ANC and Umkhonto we Sizwe could get their instructions from inside the country.

Mr Ngwenya also said that on one occasion he had seen Dr Aggett being escorted into an office and thereafter two white policemen, wearing wild expressions on their faces, had come looking for him.

Another witness, a prisoner who was convicted for assisting an ANC member who escaped from the Pretoria maximum-security prison, Mr Stephen Lee, also told of spells of torture on the 10th floor of John Vorster Square on January 8 and 9.

**SHOCKS**

Mr Shirish Nanabhai (43) said his legs had been manacled and his arms also handcuffed to his back with the cuffs passing below the manacles. This had forced him to assume a crouched position.

A plastic bag had been placed over his head and he had felt something similar to that used by doctors when taking a patient's blood pressure being tied around his upper arms.

When he had refused to answer questions put to him, he had been given electric shocks, which had made his body tremble.

**Proceeding**

COURTS

# 'Aggett told me of shocks, assault'

By Michael Tissong

A former detainee, Mr Gabriel Jabulani Ngwenya, told a Johannesburg inquest magistrate yesterday that Dr Neil Aggett had told him he had been assaulted and given electric shocks.

Mr Ngwenya said he and Dr Aggett were alone for a short time two days before Dr Aggett died. Dr Aggett was about to show him marks on his arms when they were interrupted by a security policeman.

Mr Ngwenya was giving evidence at the inquest on Dr Aggett, who died on February 5 this year.

Mr Ngwenya said he was doing his regular exercises when he met Dr Aggett. "I was running in the corridor and Dr Aggett went into a room where we normally changed our clothes.

"He looked depressed and pale. It appeared something had happened to him.

"Dr Aggett was not walking properly. He was walking with his legs wide apart. I pretended I wanted water and followed him into the room.

"I was alone with Dr Aggett and asked him how he was. He said he had been assaulted and shocked. He was wearing a jersey and was pulling up the sleeve when a policeman walked in. I then left immediately. That was on February 3, the last time I saw him."

Mr Ngwenya said the first time he saw Dr Aggett at John Vorster Square was a few days after January 12. He and Dr Aggett winked at one another. He was a General and Allied Workers' Union official and Dr Aggett a Food and Canning Workers' Union official.

Mr Ngwenya said he remembered seeing Dr Aggett on the 10th floor of John Vorster Square on January 25.

He said he had been taken from the cells to the 10th floor because his parents had written to the Attorney-General complaining that he had been assaulted.

"I was taken to a doctor to explain when and how I was assaulted," Mr Ngwenya said.

"I saw a policeman bring Dr Aggett to an office. After that two policemen came into the office where I was. Their eyes looked wild. I thought they were going to assault me. I was frightened. They looked around and then went to the office where Dr Aggett was. They slammed the door shut.

"I did not see or hear what went on in that office," Mr Ngwenya said.

In previous evidence a now banned former detainee, Mr Maurice Smithers, said he saw Dr Aggett being assaulted in an office on the 10th floor on January 25.

Mr Gabriel Ngwenya ... Dr Aggett looked pale.

Mr Ngwenya said he was detained on November 9 and asked questions about Mr Cedric Mayson's activities. Mr Ngwenya was released on September 17 after 312 days in custody.

The hearing continues.

# Murder trial told of drug 'fantasy'

Own Correspondent

CAPE TOWN — The combination of drugs taken by Mr Arthur Phillip Solomon on the day he allegedly murdered his adoptive parents could have taken him into a "fantasy world," a senior lecturer at the University of Cape Town Medical School told the Supreme Court.

He has pleaded guilty to two further counts of fraud.

Mr Solomon has admitted assaulting his mother and causing her death, but has denied he intended to kill her.

He also admitted fighting with his father and hitting him on the head with a bottle, but

large extent reality as a person saw it.

If the tablets were taken and dagga smoked on an empty stomach, their absorption into the blood stream would be hastened.

The doctor said the intake of the drugs would

ternal stimuli that would bring him back to harsh reality.

There was a distinct possibility that a person could be called back to reality by fairly urgent mundane matters.

Mr Solomon had opened the door to an electrician soon after allegedly mur-

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sition to the retrospective legislation.

Part of the opposition has been organised by associates of those who have been named in tax reports and funds for the campaign are being provided from the tax avoidance issue.

But most of those involved in the campaign against the legislation are party members with no connection to, or sympathy for, the tax avoidance industry.

They are opposing the Prime Minister on the principle of retrospectivity.

The particular target of the retrospective legislation is a scheme quaintly known as "bottom of the harbour." This involves companies which make substantial profits in a particular year and have the profits and company assets converted to cash, then sold to a promoter.

The promoter converts cash into shares in a new company which is then sold back to the original owners and the books of the original company are destroyed.

The promoter takes 20 percent and the remaining 80 percent is returned to the owners in non-taxable capital gains. (Australia does not have a capital gains tax). By this method company tax of 46 cents in the dollar is avoided as is personal tax which would be 60 cents in the dollar on the income the people involved in these schemes would earn.

Critics of the Prime Minister's move argue that, apart from the fact that many shareholders in these companies did not know what was happening, there was nothing illegal in these artificial company transactions when they were undertaken.

The Liberal Party is divided not just on the principle of retrospectivity.

The tax avoidance industry grew out of the mining boom in Australia of the late '60s and early '70s when fortunes were made in fast time.

Many of those who made fortunes were not traditional conservatives but they joined the conservative parties and donated large sums of money to the Liberal Party and its coalition party, the National Country Party.

Mr Fraser's move is threatening to drive them out of the Liberal Party and, if they leave, they will take their campaign funds with them. — AP

**Detention without trial was queried several times at the Yale conference addressed by Mr Barend du Plessis.**

# Message to Pretoria from Yale

**Cheetah Haysom reports from New York**

The Deputy Minister of Foreign Affairs, Mr Barend du Plessis, was asked to take a message back to Pretoria from last week's Yale conference on American business operations in South Africa.

A participant said that after the Deputy Minister's address he asked Mr du Plessis to tell Pretoria that South Africa was not judged by the same standards as countries like Uganda or Cambodia.

South Africa was judged by higher standards. Therefore, it was difficult for American and Canadian businesses to defend their operations in South Africa when reports of action such as detention without trial persisted.

It was one of several occasions at the conference in which the absence of "due process" in "security" measures, especially among trade unionists, was raised, according to participants.

Mr du Plessis caused a stir at the conference with some of his remarks in his address and — mostly — in reply to questions he was asked about due process being followed.

He gave the impression that he was asking for employers' co-operation in weeding out political unionists.

Many people in America consider as repulsive the concept South African Government in their dealings with unions, especially in any form of policing.

The domestic pressure on US firms in South Africa, and their important relationship with their own shop floors, demands it.

American businessmen who understand that black unions in South Africa are community-based wanted to know what the South African Government defined as "political activity."

And that is why the deputy minister was asked by a questioner to define political activity. Mr Du Plessis said it was hard to define, but the government knew.

Americans said they considered his remarks naive and inappropriate. They were disappointed.

The South African Government and its officers may consider due process a "liberal" concept. They may have done so for so long they forget the meaning of the term.

In countries like the US, however, the right of a person to be charged and tried and their right to "due process" is not "liberal". It is conservative, fundamental to the principles on which the republic was founded. It is a republican ideal

...nd Secretaries of State . . . !"

The Standard, London

marks in his address and — mostly — in reply to questions he was asked about due process being followed.

He gave the impression that he was asking for employers' co-operation in weeding out political unionists.

Many people in America consider as repelling the concept of sniffing out "political" people, and using the police to curb union activity. It is reminiscent of the days of union-bashing and McCarthyism — periods most Americans consider a dark part of their country's recent past.

More important to American corporations is the fact that they cannot be seen co-operating with the ...long they forget the meaning of the term.

In countries like the US, however, the right of a person to be charged and tried and their right to "due process" is not "liberal". It is conservative, fundamental to the principles on which the republic was founded. It is a republican deal.

So, American businessmen are disturbed by abrogation of due process (especially, perhaps, when it happens to employees of their own subsidiaries in South Africa, and is reported in America).

When the deputy minister was asked what due process was followed in the cases of unionists who engaged in political activity, he said (according to those who were present at the conference hearings, as this reporter was not) that they were charged when there was evidence. Others were put away for a while.

The last phrase stuck in the minds of many people. "They were incredulous," said Mr John Kane-Berman, the financial writer who gave the keynote address.

They did not say so to Mr du Plessis. It would have seemed discourteous. There was no ill-will towards him. But the conference delegates said it among themselves.

When asked about deaths in detention, Mr du Plessis said attempts were being made to make cells suicide proof.

His audience was "incredulous" again.

Americans, even those who sympathised with Mr du Plessis and applaud the government attempts that he outlined in his speech to improve facilities and education for their workers, do not look at cell suicides the same way.

To them, the question is why detainees want to kill themselves. To them describe attempts to make cells suicide proof, as if suicidal intent was presumed, is to miss the point — at the very least.

And at the worst, it is to suggest that standards in South Africa are not quite as high as the man with the message for Pretoria said they were. — Star Bureau

# A million wish to be martyrs

**Sadegh Ghotbzadeh, the man who helped the Ayatollah Khomeini seize power, has been executed for opposing him. Ghotbzadeh's disillusionment is symptomatic of growing discontent with the regime. Recent reports refer to an undeclared civil war. For the first time the mullahs are having trouble recruiting young men to fight in the war against Iraq and are enacting draconian legislation against draft dodgers.**

**But Khomeini's supporters are still determined to export their Islamic revolution. Yussuf Nazeer, a reporter on The Star visiting Tehran, gives his impression of their zeal.**

"We shall fight fiercely against satanic America and other arrogant superpowers," says Ayatollah (the sign of God) Khomeini's message all over Iran's cities, "up to the last drop of our blood.

"We are militant and we shall export our Islamic revolution to the whole world.

"Wherever there is a struggle in any part of the world against arrogant oppressors, we shall be there to fight the cause of the oppressed who believe there are no gods, idols and false leaders save Allah. And Mohammed is his prophet," the Imam's message adds.

If you go to the Behesti Zahra cemetery of martyrs on Fridays (the Islamic national sabbath) you will find thousands of mourners there paying homage at the graves of some 70 000 "sons and daughters of Islam" who initially died in the revolution which deposed the dictator Shah.

Khomeini . . . world challenged.

The colossal cemetery contains more than 100 plots each of 10 000 readied graves. Three plots with 30 000 war dead already filled. Among these are hundreds of young soldiers aged 13 to 15. They are known as the "child warriors of Allah." Photographs of the martyrs are mounted above the graves.

One young mujahideen in particular is 13-year-old Shaheed Mohammed Hussein Famedar who strapped grenades and mines to his body and then charged under an Iraqi tank coming through a pass followed by other tanks.

His suicide mission blew the tank to a stop, blocking the pass with other tanks behind. The report says the boy volunteered to do this way after his regiment ran out of anti-tank shells.

The martyred schoolboy's feat gave the Islamic concept of jihad and shahadat (holy crusade and martyrdom) a pragmatic impetus to the degree where revolutionary spokesmen here claim that more than a million Iranian Muslims committed to Islam are now projecting a death-wish syndrome for the cause.

# mmonwealth n on SA sport

NE. — Commonwealth countries agreed in e yesterday that South Africa must be totally in international sport and that any nation roke their new code of conduct should be lia- expulsion from the next Commonwealth Games burgh in 1986

s a massive victory for African countries, par- y Nigeria and Kenya which are determined links be cut ever those by rebel rugby or

player

delighted by the hundred percent support for e code by all African countries" said Mr Sam my chairman of the South African Non racial mmittee (Sanroc) after the meeting.

African success with strong support from all bear and Asian countries, means that the 12th onwealth Games in Brisbane, which open on day will go ahead as scheduled. There is now no t of last-minute boycotts by African countries

New Zealanders who could under the new code been banned from the Brisbane Games because owing the South African rugby tour of last year, clearly unhappy.

were some British officials, who had claimed ear- that in a democracy it was impossible to stop lsmen and women from playing whomever they

# Fleeing detainee shot: Body 'disappeared'

CAPE TIMES 28/9/82 329

From KOOS COETZEE

WINDHOEK. — The body of a detainee held under a security proclamation at the Ruacana military base had disappeared on its way to a mortuary after the detainee had been assaulted and shot dead while allegedly trying to escape from captivity, the Ondangua inquest court has heard.

The magistrate, Mr G J Retief ruled the identity of the detainee unknown, and said no-one could be held criminally liable for his death because he had tried to escape from lawful detention.

According to various statements made, the body, which was dispatched to the Oshakati mortuary as that of an unknown person who died unnaturally, disappeared at the Ruacana airstrip.

But according to an affidavit made by the curator of the Oshakati mortuary, a black policeman had referred to the body as that of a Mr Gottlieb Shivaya. The curator denied having received the body.

According to statements made to the court, the man had been detained by an officer of the military intelligence section of 51 Battalion.

Rifleman A P Labuschagne said he relieved another soldier as sentinel at the bomb shelter where the detainee had been held, at 1pm.

The detainee emerged from the shelter and he ordered him back in. Rfn Labuschagne said.

Later he saw the detainee opposite him, also sitting down on a sandwall. He warned him to return but the detainee refused. He became aggressive to scare the detainee into obeying orders, Rfn Labuschagne said.

"I hit him with my left fist on his nose. He did not want to listen. I warned him several times. I hit him again on his nose with one blow."

The detainee fled and Rfn Labuschagne grabbed his gun and ran after him shouting at him to stop.

He fired two shots. The detainee did not fall so he fired another shot aimed at his legs. This hot brought him down.

# Baby-snatcher weeps in

Own Correspondent

JOHANNESBURG. — A woman who walked into the Johannesburg Hospital disguised as a nursing sister and snatched a three-day-old baby was yesterday given an 18-month sentence, suspended for five years, by a Hillbrow magistrate.

Mrs Martha Garside, 29, of Leeubekkie Road, Jan Hofmeyer, pleaded not guilty to stealing Mrs Stephanie Bekker's baby on July 3.

Garside said before the incident she had believed — and two doctors had told her — that she was pregnant.

"At about midday on Friday July 2 I decided to leave home after an argument with my husband. I went to a hospital in Vereeniging and while en route started having stomach cramps. At the hospital they told me I was not pregnant.

"I don't remember anything from Friday afternoon until just before midnight on Saturday when the police found me in the Johannesburg Hospital with the baby. I don't know how I got there."

Miss Sally Jones-Hobbs, a former sister who was on duty in the maternity ward on the night of July 3, said she had gone to the bed where the baby should have been at 11.20pm, but it wasn't there.

After a frantic search through various wards and two casualty departments Garside was found in a different section of the hospital with a baby in her arms.

"In casualty we undressed the baby, which was no longer in hospital clothes, but still had the ID disc on. Garside said she had ha... Mrs B... identif... Mrs ... someo... evenin... sembl... rank ... "Wh... ing a... found went thoug... picke... ed to ... and t... night

## USINESS BRIEF

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INSIDE — The emblem on the left marks the centenary year of the Newspaper Press Union

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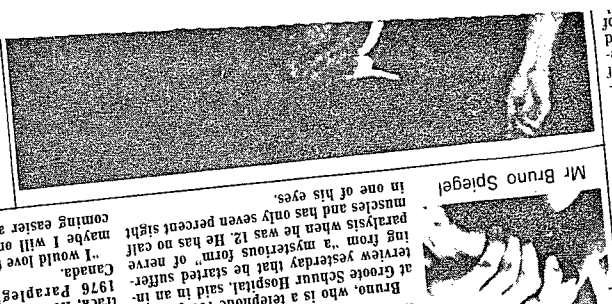
# Age in Action photo



Mr Bruno Spiegel

# Aggett told me of electric shocks, says ex-detainee

(329)

By ANTON HARBER

TWO white policemen, "their eyes looking wild like those of hunters", went into a John Vorster Square interrogation room saying "Waar is hy? Waar is hy?" before going into the room where Dr Neil Aggett was being interrogated.

Mr Jabu Ngwenya, a trade unionist released last week after more than 10 months in detention, said this yesterday at the inquest into the death in detention of Dr Neil Aggett.

He also said that two days before Dr Aggett was found hanged in his cell, Dr Aggett was walking with difficulty and told him that Security Policemen had given him electric shocks.

Earlier, another former detainee, Shirish Nanabhai, became the second person to give the Johannesburg Regional Court a detailed account of an interrogation session in which he received electric shocks.

Speaking in Zulu, Mr Ngwenya told the court contact between detainees was not allowed, but he and Dr Aggett had held a furtive conversation on February 3 — two days before Dr Aggett's death.

"I was running in the corridor and he was going to the room where we normally changed our clothes," Mr Ngwenya said.

"I could see he could not walk normally. It appeared there was something wrong with his private parts — he was walking wide-legged.

"After he went into the room, I also went in and pretended to be getting some water. I was then alone with Dr Aggett.

"I asked him how he was and he said he had been assaulted. He said electric shocks had been given to him.

"He was wearing a jersey and started to pull up the sleeve to show something on his arm when a policeman came in. I left the office immediately," Mr Ngwenya said.

He added that Dr Aggett's face was lean and his cheekbones were showing.

Mr Ngwenya also said Major Arthur Cronwright, head of the interrogation team, had sworn at him and threatened him with death if he did not answer questions properly.

"They (three other interrogators) grabbed my shirt and slapped me. I was made to sit on the concrete floor and then to stand against the wall. In between this I was writing a statement," he said.

Two white policemen, "their eyes looking wild like those of hunters", came into the room.

"They kept on saying, 'Waar is hy ? Waar is hy?" They looked around the office and then went into an office across the corridor where Dr Aggett was being questioned, he said.

Asked by Mr Andre de Vries, appearing for the Attorney-General, why he had given the court a different date for this incident to that in his sworn affidavit, Mr Ngwenya said he had been confused but had accepted his error when his lawyers had pointed it out to him.

Mr Pieter Schabort, SC, for the Minister of Law and Order, said the policemen involved would deny the allegations.

Nanabhai, serving a one-year sentence for helping political prisoner Stephen Lee escape from Pretoria Central Prison, said he was taken to the 10th floor of John Vorster Square on January 8, three days after being detained.

"After a while, when I hadn't answered their questions, they manacled my legs and put cuffs on my hands, with the cuffs going through the leg-irons.

"I was questioned more and then they put a plastic bag over my head. There were more questions and then I felt something being tied on to my arms. It felt like how doctors take your blood pressure.

"Then I felt this shock coming through me. I was completely shaken up," Nanabhai said. He added that he had also been punched, slapped and kicked, particularly in the groin.

The treatment was repeated several times and was continued the next day, when he made a statement about Lee's escape.

The court heard that Nanabhai had complained of assault to the District Surgeon and made a statement to a policeman, but had not complained during a magistrate's visit.

Mr George Bizos, SC, for the Aggett family, read out the District Surgeon's report, which described "scab-like wounds on his arms".

Mr Schabort said these allegations would also be denied.

The inquest continues at 9am today.

**Aggett Inquest**

# Captain tells of 'friendly' five days

By ANTON HARBER

DR NEIL Aggett discussed the Western Province cricket team with his interrogators when he took breaks from writing his statement, a Security Policeman said yesterday.

Captain Martin Johannes Naude, an East London Security Policeman, was describing five days of the interrogation of Dr Aggett at the inquest into his death in detention on February 5.

He painted a picture of relaxed and friendly interrogation sessions between January 4 and January 8, in stark contrast to the descriptions of torture on the 10th floor given by a number of former detainees to the inquest.

On January 4 — a day on which trade unionist Dr Aggett later said he had been assaulted — Capt Naude said he had explained to Dr Aggett how he should write a statement and had given him a typewriter.

Over the next five days, Dr Aggett had sat at a desk and slowly typed and indexed a 26-page statement. "Seen in the context of a security investigation, he was handled well," Capt Naude said.

"He smoked and ate his meals with us. We let him have a break when he got tired. We would have a cigarette and a chat together and then he would begin working again," he said.

Asked by Mr Piet Haasbroek, appearing for the Attorney-General, what they had discussed, Capt Naude said Dr Aggett was interested in sport and knew the Western Province cricket team well.

Dr Aggett had been returned to his cell at about 4pm every day, he said.

Dr Aggett was healthy but looked unkempt because he had cut his beard and hair himself. He did this because he had previously fought with his father about his appearance and he thought his father would be visiting him.

Capt Naude said the Security Police had been investigating the infiltration of trade unions by the African National Congress. He agreed there was nothing in Dr Aggett's 26-page statement that incriminated the trade unionist.

He said Dr Aggett had been co-operative and he had given a "good impression" of himself. He had not been with Dr Aggett all the time, but it was unlikely that he had been ill-treated in his absence.

Asked by Mr George Bizos, SC, for the Aggett family, why the trade unionist had complained of an assault to a magistrate and not to him, Capt Naude said he could not answer for Dr Aggett.

The inquest will continue this morning with further cross-examination of the witness.

# Aggett 'learnt to type'

**Mail Reporter**

DR NEIL Aggett spent much of January 4 — the day the Inspector of Detainees tried to visit him, and on which he later claimed he was assaulted — learning to type on the 10th floor of John Vorster Square, a security policeman claimed yesterday.

Captain Martin Johannes Naude, an East London security policeman, said this at the inquest in the Johannesburg Regional Court into the death in detention of the trade union leader.

He said on January 4 he had given and shown Dr Aggett how to use an electric typewriter. Dr Aggett had typed the first two pages of a 26-page statement.

● See Page 11

## Court hears of typing lesson on alleged day of assault

# Aggett was 'fine' on Jan 4 - cop

329
Sowetan
29/9/82

**THE trade-unionist who died in detention, Dr Neil Aggett, was taught how to use an electric typewriter by a Security Policeman before he started typing a 26-page statement for 73 hours.**

**By SAM MABE**

According to Captain Martin Naude, the typing lessons were given to Dr Aggett on January 4 this year — the same date on which the inspector of detainees, Mr Benjamin Mouton, was told he could not see him because he was "out on investigation".

Captain Naude was giving evidence in the inquest of Dr Aggett, who allegedly hanged himself in a cell at John Vorster Square on Feburary 5 this year.

He said that, after teaching Dr Aggett how to use an electric typewriter, Dr Aggett had gone on typing until he had completed his statement on January 8 — a total of 73 hours of typing.

Mr George Bizos, counsel for the Aggett family, asked if people were being kept in detention to solve the manpower shortage of typists at John Vorster Square.

He also asked why Dr Aggett had complained on January 18 and on February 4 that he had been assaulted on January 4.

Captain Naude said he had been in charge of Dr Aggett on January 4 and it had appeared that Dr Aggett had been in good health while typing. There was no evidence that he had been assaulted.

He said police investigations were on the infiltration of trade unions by the banned ANC, which used individuals within trade unions.

He conceded under cross-examination that Dr Aggett's statement showed nothing relating to terrorism or activities of an unlawful organisation.

Earlier yesterday, the magistrate, Mr P A J Kotze, turned down a request by counsel for the Minister of Police, Mr P Schabort, that a former detainee, who was testifying on Dr Aggett's condition when he saw him before he died, should demonstrate how he had walked when he had concluded that he thought there was something wrong with his private parts.

The hearing proceeds today.

# Assault on Aggett 'very improbable'

Argus 29/9/82 329

**Argus Correspondent**

JOHANNESBURG. — Captain Martin Naude, who was in charge of interrogating Dr Neil Aggett, told a Johannesburg inquest magistrate yesterday that "it was possible that Dr Aggett was assaulted, but it was very improbable".

Captain Naude said he and Detective-Sergeant Schalk van Schalkwyk, of the Railways Police, carried out the interrogation of Dr Aggett.

At a later stage a Lieutenant Whitehead was called in.

"Sergeant van Schalkwyk interrogated Dr Aggett in my presence, but there were times when I was not in the office," he said.

Captain Naude was giving evidence at the inquest on Dr Aggett, who was found dead in his cell at John Vorster Square on February 5.

**INFILTRATION**

Captain Naude said the interrogation dealt with African Nationalist Congress infiltration into trade unions through the use of individuals in control of trade unions.

He said he came from East London and began the interrogation on December 15, then left Johannesburg for a few weeks.

"On January 4, when I arrived back, Lieutenant Whitehead and Sergeant van Schalkwyk were with Dr Aggett. Dr Aggett was in a tattered condition," he said.

"He had expected a visit from his father and he had cut his hair and beard with a scissors and without the use of a mirror.

"I was told that Dr Aggett had completed his statement. I then told Dr Aggett to work on the final draft of the statement and I gave him an electric typewriter to use.

"For the next four days he typed out and indexed his 26-page statement."

**INSPECTOR**

On January 4, an inspector of detainees, Mr Abraham Mouton, came to visit Dr Aggett but was told that he was not available.

Captain Naude said it was long afterwards that he found out that Dr Aggett was wanted for a visit by Mr Mouton.

"There was no reason for stopping someone from visiting a detainee," he said.

Mr George Bizos, SC, who appeared for the Aggett family, said that on January 18, Dr Aggett told a magistrate he had been assaulted on January 4. The allegation of assault was repeated in a sworn statement to a police officer on February 4.

"Dr Aggett was never assaulted in my presence and I would not have turned a blind eye to an assault," Captain Naude said.

He added that he had investigated allegations of assault against fellow policemen before.

(Proceeding).

Cape Times 29/8/82 (329)

# Aggett 'chatted about cricket'

**Own Correspondent**

JOHANNESBURG. — Dr Neil Aggett discussed the Western Province cricket team with his interrogators when he took breaks from writing his statement, a security policeman said yesterday.

Captain Martin Johannes Naude, an East London security policeman, was describing five days of the interrogation of Dr Aggett.

The inquest on Dr Aggett, who died in detention on February 5, is being held in a Regional Court here.

Captain Naude said that on January 4 — the day on which trade unionist Dr Aggett later said he had been assaulted — he had explained to Dr Aggett how he should write a statement.

Over the next five days Dr Aggett had sat at a desk and slowly typed and indexed a 26-page statement.

"Seen in the context of a security investigation, he was handled well," Captain Naude said.

"He smoked and ate his meals with us. We let him have a break when he got tired. We would have a cigarette and a chat together and then he would begin working again," he said.

Captain Naude said Dr Aggett was interested in sport and knew the Western Province cricket team well.

Captain Naude said security police had been investigating the infiltration of trade unions by the African National Congress. He agreed there was nothing in Dr Aggett's 26-page statement that incriminated the trade unionist.

He said Dr Aggett had been co-operative and he had made a "good impression". He had not been with Dr Aggett all the time, but it was unlikely that he had been ill-treated in his absence.

Asked by Mr George Bizos SC, representing for the Aggett family, why the trade unionist had complained of an assault to a magistrate and not to him, Captain Naude said he could not answer for Dr Aggett.

The inquest continues today.

# Aggett assault improbable —interrogator

SAPA 29/9/82 329

By Michael Tissong

Captain Martin Naude, who was in charge of interrogating Dr Neil Aggett, told a Johannesburg inquest magistrate yesterday: "It was possible Dr Aggett was assaulted — but it was very improbable."

Captain Naude said the interrogation of Dr Aggett was done by him and Detective Sergeant Schalk van Schalkwyk of the Railways Police. At a later stage a Lieutenant Whitehead was called in. "Sergeant van Schalkwyk interrogated Dr Aggett in my presence. But there were times when I was not in the office," he said.

Captain Naude was giving evidence at the inquest on Dr Aggett who was found dead in his cell at John Vorster Square on February 5.

Captain Naude said the interrogation of Dr Aggett dealt with the infiltration of trade unions by the African National Congress by using individuals in control of trade unions. He said he came from East London and began the interrogation on December 15, then left Johannesburg for a few weeks.

"On January 4, when I arrived back, Lieutenant Whitehead and Sergeant van Schalkwyk were with Dr Aggett. Dr Aggett was in a tattered condition. He had expected a visit from his father and he had cut his hair and beard with scissors and without the use of a mirror.

"I was told Dr Aggett had completed his statement. I then told Dr Aggett to work on the final draft of the statement and I gave him an electric typewriter to use.

"For the next four days he typed out and indexed his 26-page statement," Captain Naude said. On January 4 an inspector of detainees, Mr Abraham Mouton, came to visit Dr Aggett but was told that he was not available.

Mr George Bizos, who is appearing for the Aggett family, said that on January 18 Dr Aggett told a magistrate he had been assaulted on January 4. The allegation of asault was repeated in a sworn statement to a police officer on February 4.

"Dr Aggett was never assaulted in my presence and I would not have turned a blind eye to an assault," Captain Naude said.

A document from Miss Barbara Hogan to the ANC — intercepted by the Security Police — which indicated that Dr Aggett was not a member of the ANC but an "adviser" was handed in today.

Miss Hogan (30), a self-confessed member of the ANC, included Dr. Aggett's name in a list under the heading "Advisory reference people — only above ground work."

Captain Naude agreed with Mr Bizos that the document which listed Miss Hogan's contacts also indicated that Dr Aggett was not a marxist or a communist.

(Proceeding)

# Outcry did not affect Aggett investigation

By ANTON HARBER

THE outcry over detentions last year did not affect Security Police investigations, the Johannesburg Regional Court heard yesterday,

Captain Martin Naude, a member of the East London Security Police, spoke at the inquest into the death in detention of trade union leader Dr Neil Aggett.

"Nobody said we must hurry with the investigation because people were shouting about detention outside."

Capt Naude, who — because of his knowledge of trade unions — was brought to Johannesburg in November 1981 to take charge of Dr Aggett's interrogation, was being questioned about the evidence he had against Dr Aggett, who was found hanged in John Vorster Square on February 5.

He agreed with Mr George Bizos, SC, for the Aggett family, that the 26-page statement Dr Aggett typed during the first week of January did not incriminate the trade unionist or anyone else.

Mr Bizos produced a letter from Miss Barbara Hogan to ANC representatives in Botswana in which Dr Aggett and Miss Liz Floyd, were named as people who advised her.

The letter was an exhibit from Miss Hogan's trial for High Treason, currently taking place in the Rand Supreme Court.

Miss Hogan added in the letter that Dr Aggett and Dr Floyd did not know she was "under instructions" and she did not know their relationship to the ANC.

Mr P Schabort, SC, for the Minister of Law and Order, said this letter was what Major Arthur Cronwright, head of investigation at John Vorster Square, referred to when he said Dr Aggett was a member of the ANC.

Capt Naude said he had concluded from this letter that Dr Aggett was an ANC sympathiser.

"There is no difference between a sympathiser and a member," he said.

Earlier, Capt Naude had said it was possible that Dr Aggett had been assaulted in his absence, but this was highly improbable. He said he would not turn a blind eye to an assault or a complaint.

Mr Bizos submitted that the 26-page statement made to Capt Naude was the full truth, but junior officers had later taken it upon themselves to make Dr Aggett change his statement to incriminate himself.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewar and Hall, appeared for the Aggett family. Appearing for the Minister of Law and Order were Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Haasbroek, assisted by Mr Andre de Vries, led the evidence).

EVERY CANDIDATE MUST enter in
UNIVERSITY OF CAPE TOWN



## Statements from ex-detainees

# Le Grange given torture report

**The Detainees' Parents Support Committee today handed in a detailed report to the Minister of Law and Order, based on numerous allegations of torture practised under security legislation. Carolyn Dempster summarises the report.**

detainees' parents support committee

Detainees are subjected to interrogation methods ranging from "mere bullying or neglect to third degree brutal torture," the Detainees' Parents Support Committee states in a report handed to the Minister of Law and Order, Mr Louis le Grange, today.

The DPSC sees a basic pattern of maltreatment of detainees emerging from the 70 statements of ex-detainees, which appears to support their claims that the practices could not be considered isolated incidents, but are standard procedure in a number of major centres.

Among these are allegations of:

### Physical Abuse

● Intensive interrogation, coupled with sleep, ablution and food deprivation. These practices are alleged to reduce the detainee to a state of physical and mental exhaustion to a point where he becomes compliant with the interrogator's suggestions before beating or questioning them. The detainee's hands are handcuffed to his ankles and a broom handle slipped through legs and arms and balanced on two chairs.

● In 25 cases it was reported that detainees were kept naked, and forcefully exposed to cold by being doused with water or made to stand in front of an open window.

● "Hooding," leading to partial suffocation, is reported in 25 cases. A hood made of canvas or plastic is pulled over the head and tightened. Wet towels or choking by hand and cord are other "suffocation" techniques.

● Common forms of assault, also used on women include slap-[illegible]-beating

gators. In some cases shock torture was allegedly applied for protracted periods. One victim started to experience fits as a result of damage to his nervous system and in one case a detainee claims he was fitted with a straitjacket before being shocked.

In two cases, security policemen were charged with hooding and administering shock treatment. They pleaded guilty to common assault and were fined R50.

The use of electric equipment to shock detainees is reported in most major centres.

### Psychological Abuse

All of the detainees reported being isolated in solitary confinement as provided for in terms of Security Legislation.

which created disorientation and extreme fear of the unknown

The verbal threats are often accompanied by intimidatory actions, claim some detainees. In one reported instance a firearm was drawn, inserted into the detainee's mouth and cocked.

Threats of being dropped out of the window of a high building, being held out or thrown out were also made, it is alleged.

Nor are the threats confined to the detainees. In a number of instances detainees alleged that their family and close friends were threatened with death or detention as a means of coercing the detainee to comply

not questioned at all, is also abuse of the law.

Although many of the detainees who submitted statements were not charged at the time of release from detention, many continued to suffer the effects of detention.

Five detainees had to go to hospital on release or required medical attention, and for three detainees, their health deteriorated to the point where the authorities had to admit them to hospital — during interrogation.

Attempts by the DPSC to establish whether there is any code of conduct for interrogators have met with little success. "Prima facie the widespread malpractices alleged would indicate that if such a code is in

pertain to the Inspector of Detainees. Regarding the safeguards seemingly provided for in the District Surgeon there are allegations by the detainees of:

● Cursory examination by the district surgeon.

● Irregular visits.

● Denial of access to further medical

treatment by the police until the detainee has satisfied the police. The detainee's access to medical inspection is vetted by the Security Police so this is quite possible.

● Police officers may overrule the decision of the District Sur[illegible]

● In eight cases, detainees claimed deprivation of toilet facilities which led to involuntary urination by some and the humiliation of being forced to clean the interrogation cell.

● Arduous physical exercises and enforced standing — for days and nights at a time.

● Interrogators allegedly use the so-called "helicopter" technique to handcuff and then suspend detainees with hosepipe, sticks, crushing of toes, banging head on walls, table. Some of the injuries sustained by detainees because of such treatment include broken teeth, loss of eyesight, burst eardrums, damaged kidneys and bladder.

Electric shock torture is alleged in 22 instances. Apparently the detainee is blindfolded or hooded so that he does not see the apparatus or cannot identify his interrogator's demands.

One woman claims she was assaulted in the presence of her baby while another had her 2½-year-old child taken into custody with her, then forcibly removed a day later.

The interrogator has also used the broad scope of the security legislation to threaten the detainee with indefinite detention until he is saisfied with the answers he receives, it has been stated.

The power of the security police to detain people indefinitely is thus shown to be open to gross abuse, points out the DPSC. Where a person is detained, questioned and then held for months on end, or held and

# Major changes to be sought

In April this year, the Detainees' Parents Support Committee submitted a memorandum to the Ministers of Law and Order and Justice claiming that Security Police used torture as a standard practice of extracting information from detainees.

This was rejected by Minister Louis le Grange.

After months of compiling more than 70 statements from ex-detainees, drawing on allegations made during court proceedings and court judgments and compiling information based on State admissions, the DPSC believes it has now established that:

● Allegations of torture practices form a standard procedure in the interrogation of detainees held under security legislation.

● The alleged malpractices are not confined to any particular centre.

● The places most commonly cited in the most serious allegations are Protea (Soweto), Sanlam Building (Port Elizabeth) and John Vorster Square (Johannesburg).

● Included in the scores of security police named as being involved in the malpractices are at least 20 commissioned officers up to the rank of major.

● Some members of the security police were categorised as experts in, for example, electric shock torture.

● Finally, only a small minority of the people allegedly assaulted or abused were eventually convicted of any offence.

The vast majority were not even charged.

Following the compilation of the statements, the DPSC states that the Minister's response to the allegations of torture is not sufficient to allay the fears of the public.

"Indeed the evidence reveals a clear picture of widespread systematic malpractices."

Instead of answering the DPSC's question as to the official restraints imposed on interrogators, or examining the framework of the system "the Minister has chosen . . . to deny outright the existence of such practices" and had responded by threatening the DPSC with prosecution under Section 27 of the Police Act if it could not prove the allegations, says its memorandum.

The DPSC makes clear its intention to seek the re-examination of the whole system of unchecked power in interrogation of detainees, and not merely force the prosecution of a few individuals.

However, so long as security legislation is in existence, the DPSC feels the following rights should be accorded to a detainee: access to a lawyer, relatives, a doctor of choice and reading material.

In addition to this there should be an enforceable code setting out the standards of interrogation for Security Police officers; an effective and independent machinery for enforcing and policing the treatment of detainees; and the clinical and personal independence of the District Surgeon from the Security Police.

30/9/82

taken seriously, they state in the report.

As to the safeguards built into the security legislation for the protection of detainees from abuse, the DPSC says the statements have shown these to be ineffectual in the extreme.

Frequently the detainee identifies the magistrate with his interrogators, particularly if the interrogator is present when the magistrate visits the detainee, and says nothing of his conditions of detention.

Some who reported assault to the magistrate allege that they were then subjected to intimidation and duress as a direct result — by their informed interrogators.

The same allegations will find interest

rogators not to say anything to the District Surgeon.

● Report-backs by District Surgeons to interrogating policeman.

● Attempts by the District Surgeon to assist the police, rather than the detainee. In one case it is reported that a District Surgeon failed to cleanse or disinfect three bullet wounds in a detainee or send him to hospital in favour of police detention instead.

Finally, say the DPSC, there is little comfort in the detainee laying a charge seeing as there are extremely few cases where security policemen have actually been charged, and none known where any have been convicted.

# Detainees: new claims of torture

Statements in support of allegations that there may be systematic and widespread torture of detainees have been submitted to the Minister of Law and Order, Mr Louis Le Grange.

More than 70 statements from former detainees were compiled by the Detainees' Parents Support Committee and handed to the Minister.

The former detainees make allegations of physical and mental torture, and humiliation and intimidation in detention.

In April this year, Mr le Grange rejected the claims in a DPSC memorandum that widespread methods of torture were used by Security Police during the interrogation of detainees.

He ordered the CID to investigate the allegations. It is in response to this investigation that the DSPC has submitted the statements.

The DSPC says a high-ranking CID officer appointed to investigate the allegations mentioned the possibility of a prosecution in terms of the Police Act if allegations against police could not be proved.

He also asked that the DPSC statements be confined to allegations of improper treatment of detainees in the past six months.

The committee said it would draw on all available channels of research but that it could not confine itself to the period from mid-1981 because "many officers alleged to have participated in earlier incidents were still serving in the Security Police."

In the 70 statements there are claims of 22 cases of electric shock torture, 25 cases of people being kept naked during interrogation and 28 cases of enforced standing for long periods and enforced physical exercise and exertion.

There are also claims of 20 cases of sleep deprivation, 54 cases of beating slapping and kicking, 11 cases of people being suspended in midair and 14 cases of attacks on genitals.

Allegations of psychological torture and intimidation are also made.

The statements provide a basis for the belief that torture is an integral feature of the detention system, claims the DPSC.

"Only the abolition of all detention-related security legislation can end the widespread horror of secret interrogation, removed from public and judicial scrutiny," says the committee.

● See Page 29

# Aggett 'wanted to empty his heart'

TR = 329
TR = 30/9/82

**Argus Correspondent**

JOHANNESBURG. — A security policeman told a Johannesurg inquest magistrate today that he worked late one night with Dr Neil Aggett at Dr Aggett's insistence, to get his statement over with.

Dr Aggett later complained that he had been assaulted and kept awake from the morning of January 28 to January 30.

Detective Warrant Officer Carel de Bruin, who was called in to interrogate Dr Aggett with two other policemen from January 25, said that on January 29 Dr Aggett said: "Let us get finished with this."

**INTO NIGHT**

He said they had not stopped working on the statement in the afternoon as they usually did but worked into the night because Dr Aggett wanted to "empty his heart out."

Warrant Officer de Bruin was giving evidence at the inquest on Dr Neil Aggett, who was found hanged in his cell in John Vorster Square on February 5 this year.

"It was not torture that he was kept awake," he said.

Mr D Kuny, who cross-examined Warrant Officer de Bruin on behalf of the Aggett family, read out part of Dr Aggett's statement which said that during the night of January 29 Whitehead, a Lieutenant sergeant and a black policeman were with him.

Dr Aggett said he was handcuffed, a bag placed over his head and he was shocked.

Warrant Officer de Bruin denied this had happened. He said that on February 4 he had worked with Dr Aggett and found him quite pleasant. Later that day he learnt that Dr Aggett had laid a complaint of assault.

"I did not ask him anything about the allegation because I did not accept him," he said. (proceeding)

COURTS

# SP interrogator denies keeping Aggett awake

By Michael Tissong

A security policeman told a Johannesburg inquest magistrate today that he worked late one night with Dr Neil Aggett at Dr Aggett's insistence to speed completing his statement.

Dr Aggett later complained he had been assaulted and kept awake from the morning of January 28 to January 30.

Detective Warrant Officer Carel de Bruin, who was called in to interrogate Dr Aggett with two other policemen from January 25, said that on January 29 Dr Aggett had said: "Let us get finished with this."

He said they had not stopped working on the statement in the afternoon, as they usually did, but had worked into the night because "Dr Aggett wanted to empty his heart out."

Warrant Officer de Bruin was giving evidence at the inquest on Dr Aggett, who died at John Vorster Square on February 5.

Warrant Officer de Bruin said Dr Aggett "wrote out parts of his statement and he would give it over to me and I typed it out while he wrote more."

He said: "It is not true that he was kept awake."

Mr D Kuny, who cross-examined Warrant Officer de Bruin on behalf of the Aggett family, read out part of Dr Aggett's statement saying that during the night of January 29 a Lieutenant Whitehead, a security sergeant and a black policeman had been with him.

Dr Aggett said he was handcuffed, a bag placed over his head and he was given shocks. Warrant Officer de Bruin denied that this happened.

He said that on February 4 he had worked with Dr Aggett and had found him quite pleasant. Later that day he had learnt that Dr Aggett had laid a complaint of assault.

"I did not ask him anything about the allegation because I did not assault him," he said.

(Proceeding)

# Death sentence for rapist

Own Correspondent

CAPE TOWN — A Valhalla Park man who repeatedly raped a young Maitland woman was sentenced to death in the Cape Town Supreme Court yesterday.

Kevin de Allende (21), was sentenced to a further five years each on two charges of robbery with aggravating circumstances.

His co-accused, John Newman (28), of Valhalla Park was sentenced to 15 years' imprisonment for the rape and five years on each of the robbery charges. These will run concurrently with the 15 years.

The two men raped a 19-year-old woman 15 to 20 times.

She and her boyfriend were threatened with a revolver as they sat talking in a car in Maitland. The men robbed them of their watches, rings and cash. The boyfriend managed to escape, but she was forced to accompany them.

She was raped in a yard, which was inhabited by hoboes and in a nearby field. During the evening the men stood her against a fence while they kicked and punched her.

Passing sentence, Mr Justice Rose-Innes said the Mandrax tablets and dagga taken by De Allende had not deterred his judgment to such an extent that he did not know what he was doing.

On psychiatric evidence it was clear his memory was intact. He was a man who had adequate insight into what he had done. The judge added that the victim was a decent 19-year-old woman who had suffered severe psychological damage.

De Allende had shown no feeling of remorse and the prospects of long-term rehabilitation were nil. De Allende had already served a jail term for rape and robbery and when released he went and did the same thing again, Mr Justice Rose-Innes said.

Dealing with Newman, the judge said a factor in his favour was that when De Allende wanted to push the woman on to a railway line he had stopped him.

## Jaap sues for R10 000

Mr Jaap Marais, the leader of the Herstigte Nasionale Party, is suing Nasionale Pers for R10 000 following a political column which appeared in Beeld on September 11, 1981.

The libel action, which was partly heard in the Pretoria Supreme Court in February, was postponed until October 19.

PUGSELEY BIG SAVIN

CAPE Times 30/9/82 (BLACK) 329

# No TV time for missing man

**Staff Reporter**

THE mystery of Mr Siphiwo Mtimkulu, the poisoned former detainee who has been missing since April 14 and who is suing the Minister of Law and Order for R150 000, has taken a new twist.

SATV's Police File has refused to screen details of his case, and Police File's liaison officer, Lieutenant Fred Peach, told his mother, Mrs Joyce Mtimkulu, that "the programme is exclusively for unsolved cases".

The office of the Commissioner of Police in Pretoria says police are investigating charges against Mr Mtimkulu and a friend of "leaving the country without valid travel documents".

Mr Mtimkulu, 21, was detained in Port Elizabeth on May 31 last year and released on October 20 without being charged. He was found to be suffering from thallium poisoning. Mr Mtimkulu then sued the Minister of Law and Order, Mr Louis le Grange, for R150 000 for alleged poisoning while in detention.

But on April 14 this year, he and a friend, Mr Topsy Madaka, disappeared without trace.

Mr Madaka's vehicle was found near the Telle Bridge border with Lesotho.

The Progressive Federal Party MP for Walmer, Mr Andrew Savage, said in a letter to the Commissioner General of the SA Security Police dated June 29 that he had spoken to the Transkei and Ciskei security police, both of whom said they had heard Mr Mtimkulu was in Lesotho.

Extensive inquiries in Lesotho by Mrs Mtimkulu and the chairman of the Civil Rights League, Mr Brian Bishop, drew a blank.

Mrs Mtimkulu then received a letter from Police File presenter, Mr David Hall-Green, dated August 17, replying to her request that Mr Mtimkulu's details be broadcast on Police File.

He wrote: "You do not, however, state whether or not this matter is in the hands of the police — and we regret that unless it is, and is forwarded from your local station to the programme's liaison officer, we are unable to feature it on Police File. This is not a matter in which we have any choice, but is simply police policy."

In a letter to Mrs Mtimkulu dated August 31, and which she received last week, Lieutenant Peach wrote that: "I must inform you that I cannot place your matter on the programme 'Police File' due to the fact that the programme is exclusively for unsolved cases handled by the police."

Mr Bishop said yesterday that "there seems to an amazing determination to sweep this thing under the carpet".

A spokesman for the Commissioner of Police said yesterday he could not comment on the charges of illegally leaving the country against Mr Mtimkulu and Mr Mdaka as "this is a delicate matter which should not be written about".

Neither Mr Hall-Green nor Lieutenant Peach could be reached for comment.

Mr Siphiwo Mtimkulu, photographed shortly after his discharge from Groote Schuur Hospital.

329 (608)

# T'kei Security Police detain 4 men

**FOUR MEN, including the executive member of the Transkei opposition Democratic Party Mr S A Xobololo of Engcobo have been detained under Transkei security laws, the head of the Security Police Brigadier L S Kawe confirmed yesterday.**

Sowetan 30/9/82

Brig Kawe said the three others were Mr M Mfanta a Stutterheim man who was recently deported from South Africa to Transkei, the field worker of the South African Council of Churches Mr Ezra Sigwela, and Mr Mlungisi Mtshontana, former executive member of the now defunct DPP Youth League.

He said the men had been taken to custody and kept "incommunicado for political reasons". Relative police documents were already with the Attorney-General Mr G B Muller for a decision on whether or not to charge them.

They were detained under Section 47 of the Transkei Public Security Act which confers powers to any commissioned police officer to arrest people for questioning without any valid warrant of arrest if he has reason to believe that such persons intend to commit or have committed any offence under the Act.

Brig Kawe said Mr Mfanta claimed to be a Stutterheim man but possessed Transkei passport documents, and he is believed to be active in organising disorderly activities against governments.

He said Mr Sigwela's detention had nothing to do with his church activities "because Transkei is a Christian country".

Brig Kawe, however, said that the four could be visited by any doctor or magistrate. Their families could bring them fresh clothes which could only be handed to them by the Security Police.

# Held men: A-G to decide on charges

UMTATA — The Transkeian Attorney-General, Mr G. B. Muller, will decide whether four men held under security laws here are to be charged.

Mr Muller confirmed yesterday that he had police documents relating to Mr S. A. Xobololo, Mr M. Fanta, Mr M. Mtshontana and Mr E. Sigwela but said he was still studying the documents.

He could not say when the men would be charged or appear in court if charges were preferred against them.

He said, however, the Supreme Court term ended today and the next term started at the end of October, but the roll was full.

Mr Xobololo, Mr Fanta and Mr Mtshontana were detained earlier this month while Mr Sigwela was detained two months ago.

Sapa reports the head of the Security Police, Brigadier L. S. Kawe, has confirmed that the men are detained under Section 47 of the Public Security Act.

This confers powers to any commissioned police officer to arrest people for questioning without a warrant of arrest if he has reason to believe that such persons intended to commit or had committed any offence under the Act.

Brigadier Kawe said the men had been taken into custody for political reasons. They could be visited by a doctor or magistrate.

Mr Xobololo is an executive member of the Transkei opposition Democratic Party. Mr Fanta was recently deported from South Africa to Transkei, and Mr Mtshontana is a former executive member of the now defunct DPP youth league. — DDR.

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# Police 'not affected' by outcry

Own Correspondent

JOHANNESBURG. — The public outcry over the many detentions last year had not affected security police investigations, the Johannesburg Regional Court heard yesterday.

Captain Martin Naude, a member of the East London security police, said this yesterday at the inquest on trade union leader Dr Neil Aggett.

"Nobody said that we must hurry with the investigation because people were shouting about detention outside," he said.

Captain Naude, who was brought to Johannesburg in November 1981 to take charge of Dr Aggett's interrogation because of his knowledge of trade unions, also said security police saw no difference between members and sympathizers of the banned African National Congress.

Captain Naude was being questioned about the evidence he had had against Dr Aggett, who was found hanged in John Vorster Square on February 5.

He agreed with Mr George Bizos, SC, for the Aggett family, that the 26-page statement Dr Aggett had typed during the first week of January did not incriminate Dr Aggett or anyone else.

Mr Bizos produced a letter from Miss Barbara Hogan to ANC representatives in Botswana in which Dr Aggett and his girlfriend, Dr Liz Floyd, were named as people who gave her advice.

The letter was an exhibit from Miss Hogan's trial for treason, currently taking place in the Rand Supreme Court.

Miss Hogan had added in the letter that Dr Aggett and Dr Floyd did not know she was "under instructions" and that she did not know their relationship to the ANC.

Mr P Schabort, SC, for the Minister of Law and Order, confirmed that this letter was what Major Arthur Cronwright, head of the investigation at John Vorster Square, had referred to in his testimony when he had said Dr Aggett had been named as a member of the ANC.

Captain Naude said he had concluded from this letter that Dr Aggett was an ANC sympathizer.

"There is no difference between a sympathizer and a member. Being a sympathizer means you give your support to the ANC," he said.

Earlier, Captain Naude had said it was possible that Dr Aggett had been assaulted in his absence, but this was highly improbable. He also said he would not turn a blind eye to an assault.

Mr Bizos submitted that the 26-page statement made to Captain Naude had been the full truth but that junior officers had later taken it upon themselves to make Dr Aggett change his statement to incriminate himself.

The inquest continues today.

30/9/82 (329) Sowetan

# Girl dies soon after detention

**AN 18-year-old Soweto girl who was detained under Section 29 of the Internal Security Act died of asthma a few days after she was released.**

Miss Linda Dlodlo, of 249 Zone 8 Meadowlands, died on the way to hospital 16 days after her release, according to her mother, Phondi. She said Linda had been detained by police on August 15 and released on September 7.

MRS DLODLO

Mrs Dlodlo said she learnt from a Detective Warrant Officer Potgieter, of Moroka police station, who had come to her home, that a doctor who examined Linda at Sandton police station had laid a charge against the police for assault on her daughter.

"It all began when three policemen came here on Sunday, August 15, and said they were looking for Sesana. We told them we knew nobody by that name. At that time, Linda came in and she was asked who she was. After she had told them, they asked where she attended school. She said at Zola High School and before that in Swaziland. They said she was the one they were looking for," said Mrs Dlodlo.

Mrs Dlodlo had later gone to Protea and had been told that Linda was being held under Section 29 of the Internal Security Act, and that she was needed as a witness in a case. After her release on September 7, she had been admitted to Baragwanath hospital. The following day she had been treated and later discharged. She again had seen a doctor on September 22 but had died the following day on the way to hospital. She was certified dead on arrival, according to her mother.

The SOWETAN could yesterday not obtain comment from the Moroka police, who said Det W/O Potgieter was not available.

30/9/82 Sowetan

## Blast drama

• From Page 1

apart by the handgrenade. The passenger was blown to pieces.

Two more Russian-made handgrenades were found at the scene and removed to the forensic laboratories for examination.

The dead men were fingerprinted and their fingerprints were later connected to the other terror attacks and attempts.

General Coetzee also said yesterday the men could possibly have been involved in other terror activities.

On June 2, 1980, two youths discovered three bombs that looked like lunchtins at Sasol's fluor offices in Springs.

Police were informed and a bomb-disposal squad then defused the three bombs, which could have destroyed several nearby shops.

General Coetzee indicated the men could also possibly have been involved in this act of sabotage.

Investigations into all aspects of the two men's activities were still being thoroughly checked.

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# Seventy detainees claim 'brutal torture'

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1/10/82 Sowetan

**THE Minister of Law and Order, Mr Louis le Grange, was yesterday presented with more than 70 statements from ex-detainees claiming brutal torture in detention.**

By CHARLES MOGALE and SAM MABE

The statements were presented by the Detainees' Parents' Support Committee (DPSC) following the Minister's rejection of torture claims in April this year.

In the statements, it is claimed that detainees were subjected to abuse ranging from "mere bullying to third-degree brutal torture".

The Security Police are alleged to have subjected the detainees to torture methods such as electric shocks, deprivation of toilet facilities, sleep and food, hooding and suffocating, choking and arduous physical exercises.

There are also allegations of common assault that are said to have been used on women also. These include slapping, kicking, beating with hosepipes and sticks, crushing of toes and banging detainees' heads on walls and tables.

The Minister was told some of the injuries sustained as a result of the assaults included broken teeth, loss of eyesight, burst eardrums and damaged kidneys and bladder.

In one instance, it is alleged, a firearm was drawn, inserted into a detainee's mouth and cocked. There are also allegations of threats to throw detainees out of windows of high buildings.

Among the allegations, there are 20 of sleep deprivation, 54 of beating, slapping and kicking, 11 of being suspended in midair and 14 of attacks on genitals.

In 25 cases, it was alleged that detainees were kept naked and exposed to cold by either being made to stand in front of an open window or doused with water.

Security Police interrogators are also alleged to have used the "helicopter" method, in which a detainee has his hands cuffed to his ankles and a broom handle is slipped through legs and arms.

When the Minister rejected torture claims made in a memorandum early this year, he ordered the CID to investigate the allegations.

However, the DPSC has alleged that a senior CID official appointed to investigate the matter pointed out the possibility of a prosecution in the event of failure to prove torture claims.

The official also asked that allegations made be confined to the past six months, but the DPSC refused because some interrogators mentioned were still working for the Security Police.

A spokesman for the committee said there was sufficient evidence to show that the revised security legislation, incorporating the Rabie Commission safeguard proposals, afforded no protection for detainees.

"Only the abolition of all detention-related legislation can end the widespread horror of interrogation removed from public and judicial scrutiny," the statement said.

The president of the SACC, the Rev Peter Storey, said that, as long as there was a system where detainees were placed in total control of jailers who worked outside of public scrutiny, nobody would ever be sure what happened to them.

He said that, just as it might be impossible to prove allegations of torture, it could equally be impossible to disprove them, and therefore doubts would remain.

Dr Nthato Motlana, chairman of the Soweto Committee of Ten, said: "Those of us who have been involved in the examination of recently released prisoners and detainees have known over the years of the intolerable suffering these people have undergone.

"We have no doubt that those in authority are clearly aware of what is taking place. Our fears are that these horrible deeds are carried out, if not with the express permission of those in power, at least with their knowledge."

A spokesman for the Federation of South African Women (Fedsaw), Ms Amanda Kwadi, praised the work done by the DPSC and said she hoped the truth about what went on behind detention walls would be known by all.

"I am convinced that people who made those statements can challenge anybody who wants to deny that their allegations are untrue," she said.

Professor John Dugard, director for Applied Legal Studies and lecturer at the University of Witwatersrand, said the memorandum of the DPSC called for the Minister's immediate explanation.

He said that for many years there had been suspicions that torture was practised in detention. As long as the Internal Security Act permitted indefinite detention, abuses of this kind would continue, he said.

He also said the DPSC's memorandum demonstrated the inadequacies of the inquiry conducted by the Rabie Commission.


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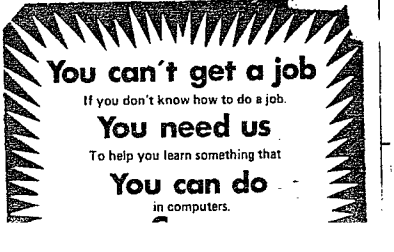

President had acted ... limiting further action.

1/10/83

# Assault claim

329

Sowetan

**ONE of the accused in the Kempton Park terror trial yesterday claimed he was threatened with death by Security Police who wanted him to make a statement.**

Mr Stanley Radebe was giving evidence in a trial within a trial in which he and Mr Ephraim Madalane, Mr Ernest Mohakalala and Ms Innocentia Mazibuko are appearing on a charge under the Terrorism Act. They are also facing an alternative charge of recruiting, inciting and encouraging people to undergo military training outside the country. Mr Mohakalala is also facing an extra charge of undergoing military training in Libya. They have pleaded not guilty.

Mr Radebe said the policemen assaulted him with fists and kicks and also hit him with a helmet on the face. The Security Police had interrogated him on three days, March 8, 9 and 10.

Mr Radebe said he had also been dressed in a "straitjacket" and assaulted again.

Mr Radebe said he had made a statement. The hearing continues.

# Cops raid Nyanga shacks

**HEAVILY armed police and administration board officials yesterday surrounded the Nyanga "bush people" on the Cape flats near Cape Town and demolished five of their shacks.**

The shacks had been erected to alleviate the overcrowding in the three dome-shaped plastic shelters where the people have been living for more than six months while they wait for a decision on their future.

"We have been saying the same thing to the Government for more than a year now. We use our power to build for the country but when we ask for our rights they break down our houses," a Bush Committee member said.

The bush people would not drop their demands for full rights in the Cape. — Sapa.

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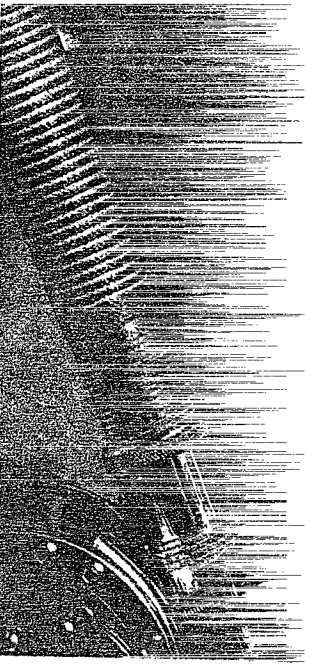

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# Methodists are planning for the next 100 years

By Stephen McQuillan

The 100th Conference of the Methodist Church of Southern Africa will be held in the Central Methodist Church building on the corner of Pritchard Street and Small Street Johannesburg from October 13 to 21.

The centenary will feature special events to celebrate the occasion, including the launch of the church's Centenary Thanksgiving campaign.

A spokesman for the church said: "Major celebrations are planned for the entire year. These will culminate in the 1983 conference to be held in Durban.

"The celebrations have been planned so that the church, which has been known as an active missionary church, can prepare for its next 100 years of outreach."

Among the aims of the campaign are:

- The recruitment of 100 men and women to enter the fulltime ministry.
- The recruitment of 100 lay people to enter the fulltime lay ministry.
- The launch of an evengelistic campaign to reach 100 000 people.
- The raising of R2 million to finance urgent projects.

The Thanksgiving year will be formally launched at a service in the Central Methodist Church on October 17.

# Crash inquiry date set

The board of inquiry hearing into the collision of a military and a civil aircraft over Pretoria on July 14 will be held on October 7 and 8 in the Supreme Court in Pretoria.

The crash, the first mid-air collision between a civil and a military aircraft in the country, claimed the lives of 13 people, including two South African Air Force generals.

# Body of detainee escaper vanished

The Star Africa News Service

WINDHOEK — A Namibian inquest court has closed the file on the death of a security detainee whose body disappeared before there could be an autopsy.

The detainee, believed to be Mr Gottlieb Shivaya of Ovambo, was shot dead while allegedly trying to escape from custody at an army base at Ruacana early this year, according to papers before court.

But he was never identified positively. His body disappeared before it could be delivered to the Oshakati mortuary.

The inquest magistrate, Mr G J Retief, ruled that no one was criminally liable for the man's death, because he had tried to escape from lawful detention.

According to statements, Mr Shivaya was arrested for interrogation by a military intelligence officer in terms of Proclamation AG9 security legislation.

A soldier said he shot Mr Shivaya when he tried to escape.

He said the detainee had left his cell and refused to return.

# Computer testing of aptitudes on increase

South Africans will increasingly find computers evaluating them in the often nerve-racking ordeal of applying for a job.

But according to Mr Terence Taylor, head of the psychological test construction division of the National Institute for Personnel Research, they will prefer the cathode ray tube terminals to human testers.

Lecturing on "Psychological testing on the computer" at the Associated Scientific and Technical Societies this week, Mr Taylor said computers tested the aptitude of job applicants far more efficiently, clearly and equitably than more fallible human evaluators.

Computerised tests would not determine whether an applicant received a job offer, Mr Taylor said, but would with career history and interview impressions help to create a fuller profile of a prospective employee.

Job seekers at Escom and Putco were using terminal screens that tested their vocabulary and other aspects of their knowledge and aptitudes.

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**AGGETT INQUEST** (329) Kbm 11/10/82

# Interrogator never questioned

By ANTON HARBER

A SECURITY policeman who was interrogating Dr Neil Aggett when he was allegedly assaulted, has never been questioned about it — although Dr Aggett laid a formal complaint about the incident before his death seven months ago.

And shortly after Dr Aggett laid the complaint, a Security policeman said to him: "Is this how you treat us now, when we have been so good to you?"

This was told to the Johannesburg Regional Court yesterday by a Security Policeman, Warrant Officer Karel Johan de Bruin, during the inquest into Dr Aggett's death in detention.

W/O De Bruin also told the court that he had believed Dr Aggett when he denied being a member of the African National Congress, but another officer, a Lt Whitehead, had not accepted this.

W/O De Bruin told the court he had been brought from Ladybrand in December 1981 to interrogate Dr Aggett and described eight days between January 25 and February 3 this year when he had led the questioning of the trade unionist.

Dr Aggett had made notes for the first few days, and had begun writing a statement on February 1. As he wrote, W/O De Bruin had typed it out.

He could not say why Dr Aggett had written this statement when he had been made to type his first one in early January.

"He was always co-operative and I had no problem with him at all," W/O De Bruin said.

For the first few days he was returned to his cell in the late afternoon, but when W/O De Bruin came to work on January 29 he was told that Lt Whitehead had questioned Dr Aggett during the night.

The trade union leader spent that night on a camp bed on the 10th floor of John Vorster Square, W/O De Bruin said. He had not asked to sleep there but it had been offered and he had accepted because he had decided to "empty his heart". "Let's get this finished with," Dr Aggett had said to him.

Dr Aggett later laid a complaint that he had been continually interrogated for 62 hours between January 28 and January 31.

Dr Aggett told W/O De Bruin that he was not a member of the ANC or the South African Congress of Trade Unions.

Questioned by Mr Dennis Kuny, counsel for the Aggett family, the Security policeman said he had believed him and had no information to contradict this.

"But Lt Whitehead was not satisfied with his answers. He said he knew Dr Aggett well and had information that he was not speaking the truth," W/O De Bruin said.

He said he had known that Dr Aggett must have laid a complaint of assault but he had not said anything. Lt Whitehead, however, had spoken to Dr Aggett briefly about it.

Nobody had questioned him about the complaint or asked him to make a statement, W/O De Bruin said. He denied Dr Aggett's claim he had been given electric shocks and been beaten in his presence.

He also denied that Dr Aggett's statement had been torn up in front of him or that they had used teams to interrogate him continually.

On February 3 Dr Aggett was perfectly normal ("dood normaal") and he was surprised to hear of his death two days later, he added.

The inquest continues this morning.

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Subject..... ECONOMICS II .....
(to be copied from the heading on the Examination Paper)

Paper No..... I .....
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## NOTE CAREFULLY

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
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(329) Star 1/10/82

# No naked exercise — SP officer

By Stuart Flitton

A security policeman denied in the Johannesburg Regional Court today that he had forced Dr Neil Aggett to strip and do physical exercises during interrogation.

Warrant Officer Disre Carr was being cross-examined by Mr George Bizos SC, for the Aggett family at the inquest on Dr Aggett who died while detained at John Vorster Square.

Warrant Officer Carr said Dr Aggett had denied being a member of the African National Congress.

He said he had told Dr Aggett he had information which contradicted this denial but he had not become angry with Dr Aggett.

Mr Bizos recalled the evidence of former detainee, Mr Morris Smithers, who alleged Dr Aggett had been forced to strip and do physical exercises.

Warrant Officer Carr said Dr Aggett had sat during the day in question.

Warrant Officer Carr said he had been upset but not angry when Dr Liz Floyd, Dr Aggett's girlfriend, had screamed during interrogation at John Vorster Square that she was not guilty.

"I got upset because it is bad when members of the ANC shout at the Security Police in our own offices," he said.

He said Dr Floyd had persistently denied being a member of the ANC.

Warrant Officer Carr denied telling Dr Floyd she would be jailed for five years because of alleged discrepancies between statements made by her and Dr Aggett.

(Proceeding)

Warrant Officer Des Carr

Star 329

# Minister to answer claims of torture

10/12

Pretoria Bureau

The office of the Minister of Law and Order, Mr Louis le Grange, has confirmed that he will respond today to claims by the Detainees' Parents Support Committee that their children are tortured in detention.

A spokesman for the department said Mr le Grange was still preparing his response but would issue a statement later today.

Detainees' parents have claimed their children are being beaten and deprived of sleep and toilet facilities.

Mr le Grange has ordered a police inquiry into the claims.

# Inquest told of Floyd 'insults'

C.T. 1/12/82

329

**Own Correspondent**

JOHANNESBURG. — A security policeman said he made Dr Liz Floyd stand while she was being interrogated on the 10th floor of John Vorster Square to discipline her because she was being "insulting and sarcastic".

Lieutenant Disré Carr, was giving evidence in the Johannesburg Regional Court yesterday at the inquest on Dr Neil Aggett, who died in detention seven months ago.

He said he had told Dr Floyd she would be detained indefinitely if she did not give a satisfactory statement, but denied this was a threat.

## 'The whole truth'

Lieutenant Carr was questioned at length by Mr George Bizos SC, representing the Aggett family.

Lieutenant Carr said he had spent five hours in the room where Dr Floyd, Dr Aggett's girlfriend, was being interrogated on February 4.

"I told her her first statement was not satisfactory and she must tell us the whole truth. I told her to stand, but she complained of a sore back after about 10 minutes so I let her sit," Lieutenant Carr said.

## 'Sarcastic'

He denied Dr Floyd's claim that she had been made to stand for about 45 minutes and that he had been angry when another policeman had let her sit down.

He said she had been made to stand because she had been "insulting and sarcastic". Asked why she hadobeyed him, Lieutenant Carr agreed that she might have done so in fear.

He said she had called the police a "klomp bastards".

It was the first time he had made a detainee stand.

Mr Bizos was warned several times by the magistrate, Mr Petrus Kotze, not to become emotional during his questioning.

# Aggett helpful, says policeman

CAPE Times 11/10/82 (329)

**Own Correspondent**

JOHANNESBURG. — A security policeman who was interrogating Dr Neil Aggett when he was allegedly assaulted, has never been questioned about it — although Dr Aggett laid a formal complaint about the incident before his death.

And shortly after Dr Aggett laid the complaint, a security policeman said to him: "Is this how you treat us now, when we have been so good to you?"

This was told to the Johannesburg Regional Court yesterday by a security policeman, Warrant Officer Karel Johan de Bruin, during the inquest on Dr Aggett, who died in detention seven months ago.

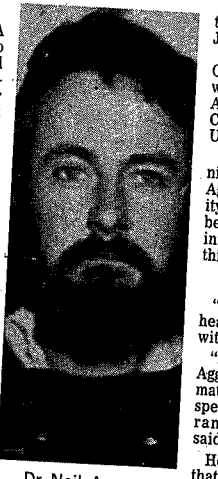
Warrant Officer De Bruin also told the court he believed Dr Aggett when he denied being a member of the African National Congress, but another officer, a Lieutenant Whitehead, had not accepted this.

## Led questioning

Warrant Officer De Bruin told the court he had been brought from Ladybrand in December 1981 to interrogate Dr Aggett and led questioning of Dr Aggett for eight days between January 25 and February 3 this year.

Dr Aggett made notes for the first few days, and began writing a statement on February 1. As he wrote, Warrant Officer De Bruin typed it out.

"He was always co-operative and I had no problem with him at all," Warrant Officer De Bruin said.



Dr Neil Aggett

For the first few days he was returned to his cell in the late afternoon, but when Warrant Officer De Bruin came to work on January 29 he was told that Lieutenant Whitehead had questioned Dr Aggett during the night.

The trade union leader spent that night on a camp bed on the 10th floor of John Vorster Square, Warrant Officer De Bruin said.

He had not asked to sleep there but it had been offered and he had accepted because he had decided to "empty his heart".

"Let's get this finished with," Dr Aggett had said to him.

Dr Aggett later laid a complaint that he had been interrogated without break for 62 hours between January 28 and January 31.

Dr Aggett told Warrant Officer De Bruin that he was not a member of the ANC or the South African Congress of Trade Unions.

Questioned by Mr Dennis Kuny, counsel for the Aggett family, the security policeman said he had believed him and had no information to contradict this.

## 'Not the truth'

"But Lieutenant Whitehead was not satisfied with his answers.

"He said he knew Dr Aggett well and had information that he was not speaking the truth," Warrant Officer De Bruin said.

He said he had known that Dr Aggett must have laid a complaint of assault but he had not said anything.

Lieutenant Whitehead, however, had spoken to Dr Aggett briefly about it.

Nobody had questioned him about the complaint or asked him to make a statement, Warrant Officer De Bruin said. He denied Dr Aggett's claim that he had been given electric shocks and had been beaten in his presence.

He also denied that Dr Aggett's statement had been torn up in front of him or that they had used teams to interrogate him without break.

On February 3 Dr Aggett was perfectly normal ("dood normaal") and he was surprised to hear of his death two days later, he added.

The inquest continues this morning.

# Torture part of the system, report claims

JOHANNESBURG. — The Detainees Parents' Support Committee has submitted a report to the government which it says establishes "that systematic and widespread torture is an integral feature of the detention system".

The report, based on 70 statements, also submitted to the Minister of Law and Order, Mr Louis le Grange, and to a high-ranking CID officer investigating torture allegations, claims practices ranging from "mere bullying or neglect to third-degree brutal torture".

A statement released by the committee with the report yesterday said that "in the 70 statements, the following are, inter alia, claimed:

- 20 cases of sleep deprivation.
- 28 cases of enforced standing for long periods and enforced physical exercise and exertion.
- 25 cases of being kept naked during interrogation.
- 11 cases of suspension in mid-air.
- 54 cases of beating, slapping, kicking etc.
- 22 cases of electric shock torture.
- 14 cases of attacks on the genitals.

"Various forms of psychological torture and intimidation are also alleged," the committee added.

"We are convinced that the modifications and safeguards introduced after the recommendations of the Rabie Commission afford no real protection for detainees caught up in the system of security detention.

"Only the abolition of all detention-related security legislation can end the widespread horror of secret interrogation and removed from public and judicial scrutiny," the committee's statement said.

Sketching the background, the committee's report said that Mr Le Grange and the Minister of Justice, Mr Kobie Coetsee, had rejected its assault and torture allegations at a meeting in April this year.

After police had ordered an extensive investigation, a CID officer had asked the committee for statements to substantiate its claims.

The officer "also raised the possibility of a prosecution against the persons in terms of Section 27 of the Police Act, if the allegations against the police could not be proved," the report said.

The 70 statements were secured in response to the CID's request.

The statements did not represent all the evidence, the committee said. Some statements obtained were not relied on and some people refused to provide statements.

## Sources

Sources included ex-detainees, admissions by the State, court proceedings and court judgments.

"While the (committee) is alive to the possibility of an inaccuracy in a particular statement submitted in good faith, it believes the statements submitted so far reveal a clear picture which as a whole cannot be ignored," the report said.

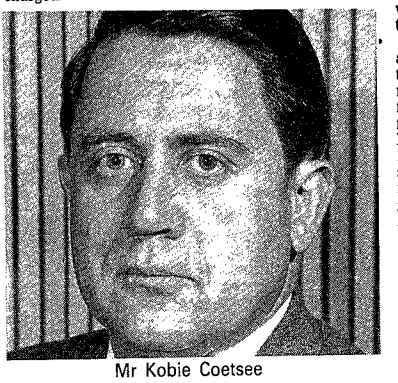
"The allegations of malpractice are not confined to any particular centre. Places at which they are reported to have occurred include police stations at all the major centres in South Africa.

"The places most commonly cited in the most serious allegations are Protea (Soweto), Sanlam [illegible] (Port Elizabeth) and John Vorster Square (Johannesburg)," the report added.

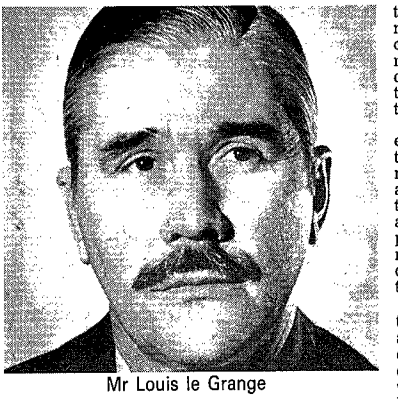
"Included in the scores of security police named as being involved ... are at least 20 commissioned officers up to the rank of major. Some members were categorized as experts in, say, electric shock torture.

"Nine of the statements submitted so far deal with women detainees.

"Only a small minority of the persons allegedly assaulted or abused were eventually convicted of any offence. The vast majority were not even charged."



Mr Kobie Coetsee



Mr Louis le Grange

The committee said it believed the statements "corroborate the basic pattern of maltreatment alleged by them in the ... first memorandum to the Minister. The statements ... reveal a repetition of certain types of malpractice over a wide area".

Detailing allegations of physical abuse, the report said there were numerous complaints of prolonged and intensive interrogation, sometimes by successive teams of interrogators and sometimes for a continuous period of several days.

"Coupled with this ... are alleged practices designed to reduce the detainee to a state of exhaustion and compliance with the interrogators' suggestions," the report said.

The practices alleged included:

- Deprivation of food sometimes for many days and nights.
- Dprivation of food and drink during interrogation.
- Deprivation of toilet facilities in eight cases, which sometimes led to "involuntary urination and the humiliation of cleaning the interrogation room".
- Enforced standing, and exercises including holding heavy objects above the head, standing barefoot on bricks, press-ups and running on the spot.
- Exposure to cold in 25 cases by being kept naked for long periods, sometimes several days and nights.
- Use of the "helicopter" technique, in which a detainee is handcuffed at the wrists and ankles and suspended on a pole between a table and a chair while being questioned and sometimes beaten.
- Suspension by the arms while handcuffed, which caused "excruciating pain".
- "Hooding"; (the report said this appeared to be aimed at inducing near suffocation, heightening the terror of the situation and hiding the identity of interrogators and the nature of equipment.)
- Suffocation by a wet towel, or choking by hand or cord.
- Assault was also used on women, including beatings with fists, slapping, kicking, beatings with hosepipes, batons, gun butts or sticks, crushing of toes, banging head on walls or tables. Injuries allegedly received have included broken teeth, loss of sight in an eye, burst eardrums and damaged kidneys and bladder.

Detainees were allegedly blindfolded or hooded so as not to see apparatus or identify interrogators. One victim allegedly began to experience fits as a result of damage to his nervous system.

In two cases, security policemen were charged with hooding and administering shock treatment. They pleaded guilty to common assault and were fined R50.

The committee's report also detailed allegations of psychological abuse. It said:

- All detainees reported being isolated in solitary confinement as provided for in terms of security legislation, a practice described by authorities as more damaging to health than even many extreme forms of physical abuse.
- Many detainees complained of humiliation and degradation, including being compelled to strip naked and subjected to verbal ridicule and abuse.
- Statements alleged frequent use of "intimidatory and aggressive" situations as a prelude to direct threats or actual violence.
- Eleven detainees alleged they were threatened with death; (one said a firearm was cocked and inserted in his mouth and another said a firearm was fired next to his feet in an isolated area.)
- Six detainees alleged their children, parents or wives were threatened with death or detention; (a woman claimed being assaulted in the presence of her baby and another alleged her 2½-year-old child was taken into custody then forcibly removed.)
- The power of indefinite detention was capable of "gross abuse".

The report said it was difficult to establish whether there was an official code of conduct for interrogators. If there was, it appeared "it is not taken seriously".

It said that detainees' allegations indicated that the previous system of magistrates' visits often failed to check abuses effectively. It noted that the Internal Security Act of 1982 provided for compulsory fortnightly visits by a magistrate, district surgeon and the Inspector of Detainees.

The report said detainees alleged that magistrates and the inspector became identified in their minds with interrogators, especially when police were present during visits.

They also complained that police warned them not to report improper conduct and that police removed them from cells on the day of a visit, or told the visiting official the detainee was away.

The report said detainees had alleged that district surgeons sometimes made only "cursory examinations" or saw detainees irregularly or not at all. It was alleged police had denied further medical treatment until a detainee had satisfied them.

The committee said there was little comfort in a detainee laying a charge, since there were extremely few cases where security policemen had been charged, and none known in which there had been convictions.

## Protection

Investigation was usually done by the CID, who could not protect a complainant from further assaults or prevent duress being applied to the complainant to withdraw the charge.

Detainees were in the hands of interrogators and could not provide proof of alleged assaults in the form of witnesses.

The committee said its aim was the re-examination of "the whole system of unchecked power in interrogation of detainees", not primarily the prosecution of individuals.

But it felt that as long as security legislation existed, detainees should have access to a lawyer, relatives, a doctor of his or her choice and reading material.

There should also be an enforceable code setting out standards of interrogation, an effective and independent machinery for enforcing and policing treatment of detainees, and independence of the district surgeon from the security police. — Sapa

- The Cape Times Johannesburg correspondent reports that Mr Le Grange will respond today to the statements sent to him by the DPSC to back their claim that "systematic and widespread torture" was used on their children.

Mr Le Grange last night confirmed he had received the statements collected by the DPSC from former detainees, but he declined to comment.

# Court told of detainee being made to stand

By ANTON HARBER

A SECURITY policeman made Dr Liz Floyd stand while she was being interrogated on the 10th floor of John Vorster Square to discipline her because she was being "insulting and sarcastic".

The policeman, Lieutenant Disré Carr, told this to the Johannesburg Regional Court yesterday during the inquest into the death in detention of Dr Neil Aggett.

He also said he had told Dr Floyd she would be detained indefinitely, if she did not give a satisfactory statement, but he denied this was a threat.

The heavily-built and ruddy-complexioned Lt Carr was questioned at length by Mr George Bizos, SC, for the Aggett family, during a day of heated cross-examination.

Lt Carr told the court he had been brought from Newcastle on December 2 and had interrogated trade union leader Dr Aggett between January 25 and 28 this year.

"We know you have special talents as regards methods of interrogation, but do you have any special talents in regards to trade unions?" Mr Bizos asked. Lt Carr said he did not know much about unions.

He was unable to say under what law trade unions are registered, but answered other questions about unions.

Lt Carr said he had spent five hours in the room where Dr Floyd, Dr Aggett's girlfriend, was being interrogated on February 4.

"I told her that her first statement was not satisfactory and she must tell us the whole truth.

"I told her to stand, but she complained of a sore back after about 10 minutes, so I let her sit," Lt Carr said.

He denied Dr Floyd's claim that she had been made to stand for about 45 minutes and that he had been angry when another policeman had let her sit down.

He said she was made to stand because she had been "insulting and sarcastic". Asked why she obeyed him, Lt Carr agreed that she might have been in fear.

He said she had screamed that she was not guilty and had called the police a "klomp bastards".

He could not say how long she would have been made to stand, if she had not complained of a sore back. He said it was the first time he had made a detainee stand.

He reported this incident to his superior, Lt P Whitehead, but the lieutenant had not reacted at all, he said.

Mr Bizos was warned a number of times by the magistrate, Mr Petrus Kotze, not to become emotional during his cross-examination. Mr Pieter Schabort, SC, for the Minister of Law and Order, and Mr Piet de Vries, leading the evidence for the magistrate, repeatedly objected to Mr Bizos' manner of questioning.

"How did you hope to change her mind and get her to write another statement," Mr Bizos asked.

Lt Carr said he had told her she was wasting her own time since she would be kept in detention indefinitely, if she did not do so. He denied Mr Bizos' suggestion that this was a threat.

● See Page 9

# Court denies State more time

Cape Times 11/10/82

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Own Correspondent

EAST LONDON. — An application for the trial of the president and vice-president of the South African Allied Workers' Union (Saawu) to be postponed to January 20, 1983, was refused in the Magistrate's Court here yesterday.

The application was made on behalf of the State by the prosecutor, Mr G Walden , who said the time was needed to prepare the indictment in terms of which Mr Thozamile Richard Gqweta and Mr Sisa Njikelana, 27, would face charges of treason, alternatively charges under the Terrorism Act.

No evidence was led and the two men were not asked to plead.

## 'At a loss'

Dismissing the appliction, the magistrate, Mr N R Oosthuysen, said: "The court is at a loss to know why the State is not in a position to provide the necessary indictment now."

He said he was not prepared to accept the State's argument, but ruled that the hearing be adjourned to November 12, by which date the State should have the indictment ready.

An application by Mr Mailer that terms of bail be eased to allow Mr Gqweta and Mr Njikelana to leave the East London magisterial area without permission from a magistrate or the security police, and to require that they report to police once very other day instead of twice a day, was granted with modifications.

## Final order

The final order handed down by Mr Oosthuysen read:

"That the accused report every alternative day to Cambridge police station between 7am and 9am:

"That they may leave the magisterial district of East London only under the following circumstances:

"Notice to leave must be given timeously to the security police. The notice shall contain the full names and addresses of the persons to be visited:

"That they obtain in writing from the security police their approval of the route to be used, duration of visit, mode of travel to be used and the police stations to be reported to whilst outside the magisterial district of East London."

Bail fixed at R750 each at a previous hearing was extended.

# Case closed on SWA's 'vanished' detainee

Argus 1/10/82 329

**Argus Africa News Service**

**WINDHOEK. — A South West African inquest court has closed the file on the death of a security detainee whose body disappeared mysteriously before an autopsy could be performed.**

The detainee, believed to be a Mr Gottlieb Shivaya of Ovamboland in northern SWA/Namibia, was shot dead while allegedly trying to escape from custody in an army base at Ruacana early this year, according to papers before court.

But an autopsy was never performed and the dead man was never positively identified. The body unaccountably disappeared before it could be delivered to the Oshakati mortuary.

In the absence of a medical report the inquest magistrate, Mr G J Retief, accepted the available evidence and ruled that no one was criminally liable for his death as he had tried to escape lawful detention.

**UNDER GUARD**

According to statements, Mr Shivaya was arrested for interrogation by a military intelligence officer in terms of Proclamation AG9 security legislation.

He was held under guard in an underground bunker at the Ruacana military base.

On January 16 an SWA/Namibian soldier, Rifleman Nghambelwa Joseph, encountered the detainee outside the base.

"I asked him where he was from and he told me from the cells inside the army base," Rifleman Joseph said in a statement to court.

He took the detainee back to his cell. Mr Shivaya then asked the soldier and the guard to release him.

"We released him, but as he was walking away we decided, on second thoughts, to re-arrest him, but he resisted," Rifleman Joseph said.

Two other soldiers came to their aid, and together they carried the struggling man back inside.

A soldier who later took over guard duty at Mr Shivaya's shelter, Rifleman A P Labuschagne, said he shot the detainee dead when he tried to escape. He said the detainee had left his cell and refused to return.

"I became aggressive to scare the man into obeying orders," Rifleman Labuschagne said. "I hit him with my left fist on his nose. He did not want to listen. I warned him several times. I hit him again on his nose with one blow."

The detainee started to run towards the base's perimeter fence. Rifleman Labuschagne fired two shots at the fleeing man, with his R4 rifle, but he did not fall. He fired a third shot at his legs, and this brought him down.

On investigation, Rifleman Labuschagne found that the man was dead, all three shots having penetrated his body.

The body was to have been flown to Oshakati mortuary, but evidence suggested that it disappeared from the Ruacana airstrip before it could be despatched.

The Attorney-General of SWA/Namibia, Mr Don Brunette, said the case was now closed and would not be reopened unless an interested party brought a civil case to bear.

# Denial at Aggett inquest

CAPE TIMES 2/10/82

329

**Own Correspondent**

JOHANNESBURG. — A security policeman denied yesterday that Dr Neil Aggett had been made to stay awake for a whole night with himself and another policemen on January 28.

Warrant-Officer Dirk Lucas, a security policeman who specializes in labour matters, told the inquest on Dr Aggett, who died while in detention, that he and Lieutenant Stephen Whitehead had spent the whole night of January 28 evaluating what Dr Aggett had said that day.

He denied that Dr Aggett had been kept awake with them.

He told the inquest in the Johannesburg Regional Court that he had been called to question Dr Aggett on January 28 about a proposal to establish a trade union centre in Soweto.

## 'Agreed to sleep'

He and Lieutenant Whitehead had questioned Dr Aggett until about 12,30am, when Dr Aggett had agreed to sleep on a camp bed in the 10th floor office.

Answering a question from Mr Dennis Kuny, counsel representing the Aggett family, WO Lucas said Dr Aggett had not complained of being tired. He had slept in his clothes.

He denied that Dr Aggett had decided that night to "open up his heart".

Another security policeman, Warrant-Officer Karel de Bruin, had told the inquest on Thursday that Dr Aggett had slept on the 10th floor because he had decided to finally "open up his heart".

Dr Aggett laid a formal complaint a week later claiming he had been kept awake.

## Other policeman

Another security policeman who interrogated Dr Aggett, Lieutenant Disré Carr, denied this.

WO Lucas said he and Lieutenant Whitehead had spent the whole night evaluating what Dr Aggett had said in a nearby room. In the morning, he had left Dr Aggett and Lieutenant Whitehead had continued the questioning.

WO Lucas said that it was not usual practice to keep a detainee on the 10th floor and he had not known of it being done before. He had, however, seen the camp bed before, he said.

He denied a suggestion from Mr Kuny that his role had been to keep Dr Aggett awake that night. "I was there to ask about specific labour matters. That was the only function I had," he told the inquest.

The inquest resumes on Monday morning.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Beil, Dewer and Hall, is representing the Aggett family. Representing the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Haasbroek, assisted by Mr Andre De Vries, leads the evidence).

# Charge laid by district surgeon

329 CAPE Times 2/10/82

**Own Correspondent**

JOHANNESBURG. — Johannesburg's Senior District Surgeon has laid a charge of assault against members of the security police after the death of a Soweto woman, Miss Linda Dlodlo, 18, last month — 16 days after her release from detention.

Miss Dlodlo was detained on August 15 under Section 29 of the Internal Security Act.

A police spokesman confirmed the charge.

The family became anxious when Miss Dlodlo did not return and searched for her for a week before police arrived at their house and asked for a change of clothing.

Only then did they realize she had been detained and they approached an attorney, Miss Kathy Satchwell.

Miss Satchwell wrote to the Commissioner of Police, General Mike Geldenhuys, informing him Linda was a chronic asthmatic who regularly attended an outpatients asthma clinic at Baragwanath Hospital.

In a telephone interview, Miss Satchwell said she had not heard anything from the family after writing the latter and was not aware of Miss Dlodlo's release or her subsequent death.

She had, however, received a reply from General Geldenhuys confirming Linda's detention. He had said the District Surgeon concerned had been informed and would ensure that Linda received the required medical attention.

Linda was held until September 7, when she was released and allegedly dropped by security police 5km from home.

However, she arrived home critically ill and was immediately taken to a private doctor. The next day she was admitted to Baragwanath hospital where she was treated for an asthma attack.

The doctor who treated her on that occasion said she had given him very brief details of her detention. He said the asthma attack could have been precipitated by the emotional upset.

He also mentioned that on admission Linda was anxious and had a bruise on her back.

Ten days later, she suffered another asthma attack and was taken to see a private doctor. The following day, her mother — Mrs Pondy Dlodlo, a nursing sister — took her back to the doctor who said her condition was serious and she needed to be hospitalized.

Linda died on the way to hospital.

Yesterday a private autopsy was conducted with a private pathologist in attendance. The report on the findings has not yet been released.

The Detainee Parents' Support committee said in a statement last night it was "horrified" at Linda Dlodlo's death.

The Senior district surgeon, Dr N Jacobson, refused to comment.

# Girl's death: complaint against SP

Sto 2/10/82

By Khulu Sibiya

A formal complaint has been laid against members of the Security Police after the death of a young Soweto woman only 16 days after her release from detention.

Miss Linda Dlodlo (18), of 249 Zone 8, Meadowlands, died on her way to Baragwanath Hospital a week last Thursday after complaining of a severe headache and difficulty in breathing.

Johannesburg's senior district surgeon, Dr N Jacobson, has laid a complaint against the Security Police.

A police spokesman in Pretoria confirmed that a complaint had been laid but said that when police went to take a statement from Miss Dlodlo, she refused.

Her mother, Mrs Pondi Dlodlo said today: "My daughter was never the same after she was released from detention. She frequently complained of difficulty in breathing."

Mrs Dlodlo, a nursing sister at Sandton Clinic, said her daughter was detained on August 15 and released on September 7. She said she was held under section 29 of the Internal Security Act.

Miss Dlodlo suffered from chronic asthma and her mother said she was examined by a doctor while she was in detention.

When she was released, her mother said she was critically ill and had to be taken to a private doctor who recommended that she be taken to the hospital.

Miss Dlodlo was admitted to Baragwanath the day after she was released and after being confined to bed for a week, returned home.

The doctor who treated her said it was possible the asthma was precipitated by the emotional upset.

Yesterday a private autopsy was conducted by a pathologist.

Miss Dlodlo will be buried today.

# 'Torture': Minister hits out

Pretoria Bureau

The Minister of Law and Order, Mr Louis le Grange has said he will "give consideration" to allegations that detainees are being tortured, but has sharply criticised the Detainees' Parents' Support Committee for "seeking sensational publicity."

Mr le Grange said yesterday that over the past few weeks he had received "bundles of unsigned allegations by detainees from the attorney of DPSC."

Yesterday, he said, he had received a memorandum from the DPSC "after reports had been published in certain newspapers concerning the alleged torture of detainees."

"I deplore the procedure followed by the DPSC in seeking sensational publicity based on the unsigned allegations they delivered to me."

In the memorandum the DPSC claims that electric shocks are being administered to detainees in order to extract information from them.

# Aggett case: A night on the 10th floor

By ANTON HARBER

SECURITY Police kept Dr Neil Aggett on the 10th floor of John Vorster Square for one night during his interrogation in case they had urgent questions to ask him.

Warrant Officer Dirk Lucas, a security policeman who specialises in labour matters, also told the inquest into Dr Aggett's death in detention that he and Lt Whitehead had spent the whole night evaluating what Dr Aggett had said that day. He denied that Dr Aggett had been kept awake with them.

WO Lucas told the Johannesburg Regional Court he had been called to question Dr Aggett for a short time on January 28 about a proposal to establish a trade union centre in Soweto.

He and Lt Whitehead had questioned Dr Aggett until about 12.30am, when he had agreed to sleep on a camp bed in the 10th floor office.

Answering questions from Mr Dennis Kuny, counsel for the Aggett family, WO Lucas denied that Dr Aggett decided that night to "open up his heart". Another security policeman, WO Karel de Bruin, told the inquest on Thursday that Dr Aggett had slept on the 10th floor because he had decided to finally "open up his heart".

Dr Aggett laid a formal complaint a week later claiming he had been kept awake from January 28 to January 31.

WO Lucas said he and Lt Whitehead had spent the whole night evaluating what Dr Aggett had said in a nearby room. In the morning, he left and Lt Whitehead continued questioning Dr Aggett.

It was not normal practice to keep a detainee on the 10th floor, he said. He had, however, seen the camp bed before.

He denied a suggestion from Mr Kuny that his role had been to keep Dr Aggett awake that night. "I was there to ask about specific labour matters. That was the only function I had," he said.

Earlier, Lt Disre Carr, another member of the Security Police who interrogated Dr Aggett, told the court of a braaivleis on the banks of the Vaal River to which he had taken a detainee, Mr Pramananthan Naidoo.

He said he had felt that since Mr Naidoo was in his cell all the time, the trip would do him good.

He said they had kept Mr Naidoo in leg irons in case he tried to flee or do harm to himself.

On a trip to the Johannesburg Zoo with another detainee, Mr Samson Ndau, he had removed the prisoner's leg irons. This was because they had more trust in Mr Ndau, Lt Carr said.

He denied telling Mr Naidoo they were going to drown him.

He also denied claims made during the inquest by five former detainees that he had been involved in assaults on them.

The inquest continues on Monday.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewer and Hall, appears for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger, and instructed by State attorneys. Mr Piet Haasbroek, assisted by Mr Andre De Vries, leads the evidence).

# Torture claim: Le Grange attacks DPSC

CAPE TIMES 2/10/82

329

Own Correspondent

PRETORIA. — The Minister of Law and Order, Mr Louis Le Grange, has attacked the Detainees Parents' Support Committee (DPSC), accusing them of "seeking sensational publicity" by handing to the press a memorandum containing summaries of statements of former detainees alleging torture by the security police.

But yesterday a representative of the DPSC said they rejected the minister's contention that they were seeking publicity.

It was essential that the torture allegations made by more than 70 former detainees were investigated.

Mr Louis le Grange

## 'Deplored'

Mr Le Grange said in a statement yesterday that he "deplored" the procedure followed by the DPSC in submitting the memorandum only after certain newspapers had already published reports on Thursday.

Yesterday the DPSC representative disputed that the memorandum had been submitted to Mr Le Grange after publication of its contents.

Throughout his statement, Mr Le Grange referred to "unsigned allegations" which the DPSC delivered to him.

Mr Raymond Tucker, the lawyer acting for the DPSC, said yesterday that the police officer investigating the allegations of torture, had expressly told the DPSC it was not their function to obtain signed statements from the former detainees.

He said a general memorandum had been given to the minister in which references were made to the allegations of the former detainees.

Mr Tucker said the memorandum contained a summary of the allegations of the former detainees.

In each case, both Mr Le Grange and Mr Kobie Coetsee, the Minister of Justice, had been furnished with a copy of the summary of the complaints after they had been submitted to the police.

"At no stage when the ministers acknowledged receipt of each set of particulars did they question the adequacy of the information," Mr Tucker said.

He added that in some instances, the allegations of the former detainees related to cases in which the torture allegations had been established in court. In some cases the State had paid damages.

Mr Le Grange said in his statement that the "unsigned allegations" of the former detainees would be considered "in due course".

Mr Le Grange could not be traced last night for comment.

The DPSC spokesman said they had taken the matter to the press because they felt it was a public matter and the investigation should not be conducted in secrecy.

# Charge laid against SP after girl dies

By LAUREN GOWER and STAN HLOPHE

JOHANNESBURG's Senior District Surgeon has laid a charge of assault against members of the Security Police in connection with a young Soweto woman who died last month – 16 days after being released from detention.

A police spokesman confirmed the charge but said when police had gone to take a statement from Miss Linda Dlodlo, 18, she refused. Her mother said Miss Dlodlo had run away when the police arrived. The Senior District Surgeon, Dr N Jacobson, has refused to comment.

Miss Dlodlo was detained on August 15 under Section 29 of the new Internal Security Act – the equivalent of Section 6 of the old Terrorism Act.

She was held until September 7 when she was released and allegedly dropped by Security Police 5km from her home.

Security Police took her from her home saying she was wanted for questioning in connection with a stolen vehicle.

Her family became anxious when she did not return and searched for her for a week before police arrived at their house and asked for a change of clothing.

Only then did the family realise she had been detained and approached an attorney, Miss Kathy Satchwell.

Miss Satchwell wrote to the Commissioner of Police – General Mike Geldenhuys – informing him Miss Dlodlo was a chronic asthmatic who regularly attended an outpatients asthma clinic at Baragwanath Hospital.

Miss Satchwell said she had not heard anything from the family after writing to the Commissioner of Police and she was not aware of Miss Dlodlo's release or her subsequent death.

She had, however, received a reply from Gen Geldenhuys confirming Miss Dlodlo's detention. He said the district surgeon concerned had been informed and would ensure that Miss Dlodlo received the required medical attention.

However, when she arrived home Miss Dlodlo was critically ill with an asthma attack and was immediately taken to a private doctor. The next day she was admitted to Baragwanath Hospital.

The doctor who treated her on that occasion said she had given him very brief details of her detention. He said it was possible the asthma attack could have been precipitated by the emotional upset.

He also mentioned that on admission Miss Dlodlo was anxious and he had noticed a bruise on her back.

But when Miss Dlodlo was discharged from hospital four days later, the doctor said she was "in perfect health".

Mrs Pondy Dlodlo said her daughter had told her she was questioned in connection with people who had left the country.

When the Rand Daily Mail visited the family they were distraught and spoke about her as a serious and very brave young woman who matriculated from Dr B W Vilakazi High School, Soweto, last year.

Ten days after Miss Dlodlo returned to her home, she suffered another asthma attack and was taken to see a private doctor. The next day her mother – a senior nursing sister – took her back to the doctor who said her condition was serious and she needed to be hospitalised.

Miss Dlodlo died on the way to hospital and was certified dead on arrival.

A public relations officer for the SAP would not comment on Miss Dlodlo's death.

Yesterday a private autopsy was conducted with a private pathologist in attendance. The report on the findings has not yet been released.

# Wife molested in ransom bid

By JOHAN BUYS

A 35-YEAR-OLD Bedfordview housewife was kidnapped at gunpoint and sexually assaulted by a man who demanded a ransom of 500 gold Kruger coins and R1 500 in cash from her husband.

According to police the man parked his grey Volvo stationwagon in front of her house at 10am on Thursday.

He walked to the house as she arrived in her car at 3pm, threatened her with a firearm, blindfolded her and forced her into his car before driving off.

He told his victim he would deliver a letter to her husband the next day and would kept his victim overnight at an unknown location and dropped her yesterday at 10.30am at the Boksburg Hypermarket.

According to the spokesman the woman had been sexually molested and cannot be identified.

The East Rand Murder and Robbery Squad have launched an extensive search for the kidnapper.

According to the description the woman gave police, he is about 36 years old, well-built, 1,72m tall and has long brown hair.

Police suspect that the assailant took the woman to a caravan park where he molested her. They also suspect

SUNDAY EXPRESS October 3, 1982

**EXPRESSCOPE** LOOKS AT STRANGE PARTY IN THE VELD

# Security police take six trial witnesses to Christmas braai

**THE security police organised a Christmas Eve braai for six witnesses detained to give evidence in a Kimberley terrorism trial. Among the guests were the senior State advocate and the chief of Security Police in the Northern Cape.**

This was claimed in evidence before Mr A J van Wyk in the Kimberley Regional Court during the trial — now in its 16th month — of five scholars on charges of terrorism, arson, attempted arson and housebreaking.

The presence of the senior State advocate — who is leading the prosecution in the trial — at the braai was "distressing", the defence advocate told the court.

At the time of the Christmas Eve braai, which took place last year, four of the witnesses — all schoolchildren — had already given evidence in camera for the State.

The remaining two witnesses were not called by the State, and later gave evidence for the defence.

The charges followed disturbances in Galeshewe, Kimberley, during the school boycotts in September, 1980.

The trial, which started on June 2, 1981, is proceeding.

A detainee witness for the defence, Mr Arthur Thuntsi, told the court on July 26 and 27 this year that he was at a braai held on December 24, 1981, in the veld near the TB hospital in Kimberley.

He said that Mr J S M Henning, the advocate who is leading the prosecution in the trial, Lt-Col H J Olivier head of the Security Police in Kimberley and other security policemen made speeches at the braai.

● Faces of anxiety — parents and relatives of accused and witnesses in the marathon terrorism trial photographed during their 16-month vigil outside the Kimberley Regional Court. From left are Mrs Rosalie Tati, Mrs Lizzie Mokitimi, Mrs Sannie Senye, Mrs Mildred Mokgoasi, Mr Andrew Thuntsi, Mrs Henrietta Chiwa and Mrs Katy Dikgoeti
Photograph by PIERRE OOSTHUYSEN

**By JEAN LE MAY Political Correspondent**

Questioned by Mr Justice Poswa, advocate for the defence, a detained witness, Mr Arthur Thintsi, said the braai was organised by "the captain".

"(Those present were) Col Olivier, Capt Van Wyk, Adv Henning, Mnr van der Colf, Mnr Vuur or Fire (a photographer), Mr George Matsheka, Mr Djwili, myself, Conrad Diseko," (and four others who may not be named).

"(The braai) was how the Security Police could sympathise with us . . . They said they were not happy to see us still in the cells during Christmas . . . fire was made. A pot for porridge was in place on the fire . . ." Mr Thuntsi went on to tell the court how Lt-Col Olivier addressed the gathering:

"He was thanking the four who were or who had been brought before court . . . he referred to them as 'die vier perde wat moi getrek het'.

" . . . They were very grateful and happy about these four people . . . because they had done their utmost here in court . . . and he further said that we, the other two, he thinks we will succeed in doing well like the others have done.

"Thereafter he asked for forgiveness that we were spending Christmas and the New Year in detention . . .

"Adv Henning was also given the chance to address . . . He also had much to say about the four horses . . . and that they were very much happy about them and that he believes we also will succeed in doing well . . .

"Mr Matsheka and Mr Djwili were also given the chance to address.

"They said we were children and they forgave us, even though we made some mistakes, for an example burning their houses . . . They wished us a merry Christmas and an enjoyable New Year."

Mr Poswa: Was there any reference (at the braai), and by whom, to the incident when Mr X (name deleted) was distressed and as you said had taken an overdose of tablets or had swalllowed glass?

Mr Thuntsi: Yes . . . it was put in this manner: There is a piece of wire, don't you want to hang yourself? It was said in joking fashion . . . by Adv Henning.

At this point during the evidence an angry exchange took place in court between Mr Poswa and Mr Henning, when Mr Poswa asked the court to restrain Mr Henning from laughing.

Mr Henning: I find this whole chat very interesting and I find it miles removed from the facts in dispute in this case. What I find interesting is that the defence . . . should waste time with matters such as these. A braai and jokes made at the braai and people were were thanked and . . . such matters of no consequence. I find it amusing that after all these months we should listen to such irrelevancies . . .

Mr Poswa: I do not know what the court's attitude is towards what was being said about a waste of time. I personally consider the presence of a member of the Attorney-General's staff at a party where accomplices who have given evidence are present and where witnesses-to-be are present, is something that should not be amusing . . . it is something that should be depressing rather than amusing."

Evidence in the case up to now fills 100 volumes amounting to close on 10 000 pages and defence costs are said to amount to close on R200 000.

The five accused — all Kimberley scholars — are Mr Sello Motlhabakwe (20), Mr Johannes Kers (21), Mr Eugene Mokgoasi (21), Mr Nelco Hlatshwayo (20) and Mr Ben Fani (22).

A further 19 scholars, ranging in age from 18 to 21, were detained as potential State witnesses in January and February, 1981, under Section 12(b) of the old Internal Security Act.

Four of the 19 gave evidence in camera for the State in July and August, 1981.

The court ordered that their evidence could be published but that their names should not be disclosed at the request of the Security Police, who said the measure was designed to protect the witnesses.

The State also alleges that a beerhall, several police houses, and the houses of administration board officials and of the mayor of Galeshewe, Mr Themba Nyati, were attacked and burned down.

Between July, 1981 and March, 1982, a "trial within a trial" was held regarding the admissibility of a statement by one of the accused, the defence claiming it was made under duress.

In March the presiding magistrate, Mr van W[illegible], ruled that the statement was admissible.

The remaining 15 defence witnesses were not called, the State and were then available to the defence when the State closed its case in May this year.

In June this year an unsuccessful application for the release from detention was brought in the Northern Cape division of the Supreme Court.

Since then all 15 — six of whom had spent nine months in detention — have been released.

Four of them — Thuntsi, Mr Diseko, Mr Benjamin Swartz and Mr Lucas Mokububg — have since been charged with perjury and released on R30 bail.


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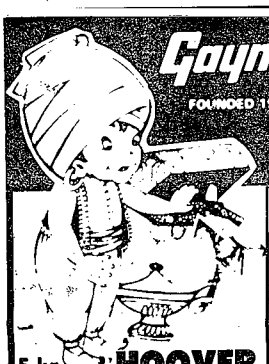

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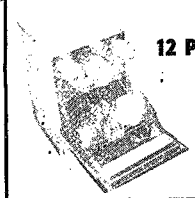

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# The interrogators.

Report by BRU

REPORT BY BRUCE LOUDON

## They were with Neil Aggett in vital last days

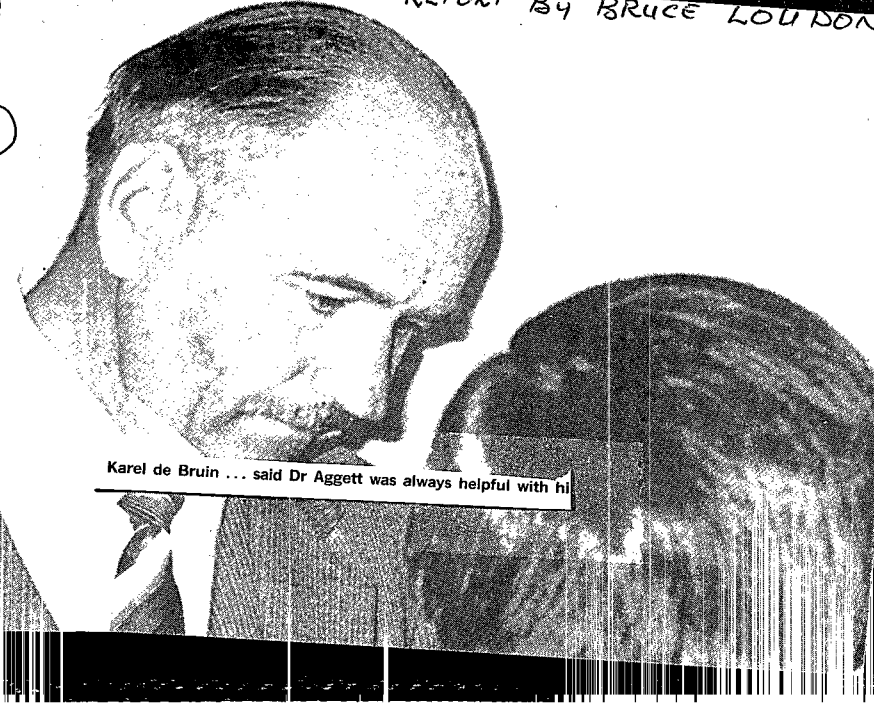
(329)
S. Times
3/10/82

**SAP Security Branch Warrant-Officer Des Carr is a big, burly, ruddy-complexioned man who comes from Newcastle in Natal.**

His fellow warrant-officer, Karel Johan de Bruin, is tall, too; but is more thinly-built and — in court, at least — talks in little more than a whisper.

At the Aggett inquest this week they emerged as crucial figures in the final days of Dr Neil Aggett, the doctor turned trade unionist who was found dead in his cell at Johannesburg's John Vorster Square at the beginning of February this year.

For it was the two warrant-officers who, on their own admission, were part of the team that interrogated Dr Aggett on the 10th floor of John Vorster Square during an important period of a few days beginning on January 25.



Karel de Bruin ... said Dr Aggett was always helpful with hi

angry with Dr Aggett or that they assaulted him.

The inquest continues this week and is likely to last for some time.

Lt Whitehead is expected to be among the witnesses early in the week.

Most sessions of the inquest are crowded with both members of the public and members of the Security Branch.

Des Carr ... didn't know trade union law

## Vital days

These few days are vital, for in the written complaint Dr Aggett made before his death he said that during the night of January 29 he was blindfolded and given electric shocks through his handcuffs, and that he was kept awake continuously from the morning of January 28 to January 30.

Both W/O Carr and W/O de Bruin, it emerged during evidence this week, were among Dr Aggett's principal interrogators during that period — although, according to them, they were led by a Lieutenant Whitehead, who has yet to testify before the inquest.

(It was Lt Whitehead who, according to Dr Aggett's statement, blindfolded him before electric shocks were applied through his handcuffs.)

W/O de Bruin was the first of the interrogators to give evidence this week, and he said he "couldn't believe it" when he learned about Dr Aggett's death.

An earlier witness at the inquest had described both De Bruin and Carr as having been "wild-eyed" as they searched for Dr Aggett when they were first assigned to his case.

But when he appeared in the witness box W/O de Bruin had to be asked from time to time by the magistrate, Mr Petrus Kotze, to speak up so he could be heard.

According to W/O de Bruin, he was first assigned to the Aggett case on January 25 — together with W/O Carr and Lt Whitehead.

On January 25, 26, 27 and 28, according to his evidence, all three men questioned Dr Aggett.

## Sleep

When he reported for duty at John Vorster Square on Friday, January 29, he said he was told by Lt Whitehead that investigating officers had been "working with" Dr Aggett all the previous night.

Questioning of Dr Aggett continued throughout that day until midnight, when Dr Aggett, he said, was allowed to sleep on a camp bed in room 1020, where the interrogation was taking place.

W/O de Bruin said he next saw Dr Aggett the next Monday, February 1, and found that the trade union leader was "writing a statement".

He last saw Dr Aggett on the 4th, just before he left for a weekend at his home in the Free State, and found him to be "quite normal: with me he was always most helpful".

Cross-examined by Mr Dennis Kuny, for the Aggett family, W/O de Bruin said that under interrogation Dr Aggett denied he was a member of the African National Congress. The warrant-officer also denied that Dr Aggett was kept awake for long periods.

He said Dr Aggett was never assaulted in his presence.

Mr Kuny: "I put it to you that on the 29th he was assaulted and that assault must have taken place in your presence."

W/O de Bruin: "I deny that."

Mr Kuny: "Can you give any explanation as to why Dr Aggett made these allegations?"

W/O de Bruin: "I cannot understand it: he was never assaulted in my presence."

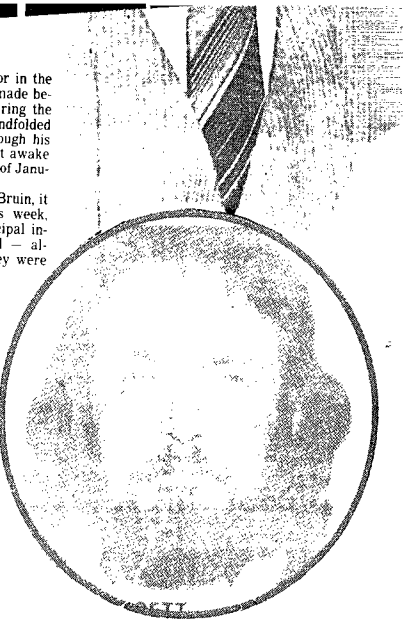
When W/O Carr was in the witness box he was cross-examined by Mr George Bizos, SC, who immediately questioned him about his knowledge of trade unionists and trade unionism.

W/O Carr was unable to answer when Mr Bizos asked him the name of the law under which trade unions are registered in South Africa.

During the early stages of the cross-examination, Mr Bizos raised his voice and was twice admonished by the magistrate.

Once he was asked to "try to keep the examination on a high level", and on another occasion was told:

"I am not going to allow emotions to run away like this. We are busy with a serious inquiry and we expect ev-



Dr Aggett ... questioned, questioned, questioned.

an experienced advocate, Mr Bizos."

W/O Carr agreed with Mr Bizos that during those few days before Dr Aggett's death he spent between 25 and 30 hours with the former trade union leader.

Mr Bizos sought at length to establish from W/O Carr what questions were asked during the interrogation.

W/O Carr said he asked Dr Aggett repeatedly whether he was a member of the ANC — but said he could remember no other questions that he asked.

W/O Carr said he did not believe it when Dr Aggett denied he was a member of the ANC.

Mr Bizos also questioned W/O Carr about his handling of Dr Liz Floyd, Dr Aggett's girlfriend and fellow detainee.

He admitted that on February 4, on the 10th floor of John Vorster Square, he instructed Dr Floyd to stand up and remain standing "because she was insulting and sarcastic".

Mr Bizos: "Was that punishment?"

W/O Carr: "It was discipline."

## Anger

W/O Carr said it was the first time during his police career that he had ordered anyone to stand.

"It is the first time that anything like this has happened to me."

Mr Bizos: "Mr Carr, if you are asking a detainee a question and you are not happy with the answer — what do you do?"

W/O Carr: "We go on with other questions."

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# Conflicting evidence at Neil Aggett inquest

TWO startlingly contradictory pictures of interrogation sessions on the 10th floor of John Vorster Square emerged this week during the inquest into the death in detention of trade unionist Dr. Neil Aggett.

A string of former detainees and security policemen gave detailed accounts of their experiences during interrogation sessions to the Johannesburg Regional Court.

The former detainees — Keith Coleman, Liz Floyd, Jabu Ngwenya, Pramananthan Naidoo, Shirish Nanabhai and Sisa Njikelana — painted grim pictures of unpleasant interrogations, some alleging they were given electric shocks, beaten, deprived of sleep and threatened with death.

**Sunday Express Reporter**

The security policemen told of pleasant and relaxed sessions with detainees they described as co-operative and helpful. They denied the detainees' allegations.

All of them said they could not explain why the detainees claimed they were maltreated.

Some of the detainees, including Dr Aggett, laid complaints of assault with magistrates or the Inspector of Detainees while being held.

But many of them have testified that they feared a complaint would get back to the Security Police and they would be assaulted again.

On Thursday, Warrant Officer Karel de Bruin told the court another security policeman had gone to Dr Aggett shortly after he laid a formal complaint of assault and said:

"Is this how you treat us when we have been so good to you?"

Two accounts of Dr Aggett's interrogation on the key nights of January 28 have also emerged. Dr Aggett complained on February 4 — the day before he was found hanged in his cell — that he had been kept awake for 62 hours from January 28 to 31 and had been assaulted.

But WO de Bruin, Lieutenant Disré Carr and WO Dirk Lucas told the court Dr Aggett had agreed to sleep the night on a camp bed on the 10th floor.

WO de Bruin said Dr Aggett had slept there because he had decided to "open up his heart" and wanted to finish his interrogation as soon as possible.

But WO Lucas told the court Dr Aggett had made no such decision, but was kept there so that his interrogators could wake him if they needed to ask any urgent questions. He and Lt Whitehead spent the night evaluating the information he had given.

The inquest continues tomorrow.

Star 7/10/82

# Sleepless session denied

379

**By Stuart Flitton**

Dr Neil Aggett asked to sleep on a camp bed in a security policeman's office rather than return to his cell, the Johannesburg Regional Court heard yesterday.

Warrant Officer Dirk Jacobus Lukas, of the Labour Department of the Security Police, was giving evidence in the inquest into the death in detention of the trade unionist.

W/O Lukas said that on January 28 this year he was summoned to the 10th floor of John Vorster Square to help interrogate Dr Aggett.

He told the court that he, and a Lieutenant Whitehead interrogated Dr Aggett for about eight hours concerning trade union matters which he could not reveal.

He said that Lieutenant Whitehead was not satisfied with Dr Aggett's denials of being involved with the African National Congress and the South African Congress of Trade Unions.

W/O Lukas said that at about midnight Dr Aggett asked to sleep on a camp bed in the 10th floor office rather than return to his cell.

He said that he and Lieutenant Whitehead sat in a next-door office evaluating what Dr Aggett had told them, and would have woken him had they wished to speak to him urgently.

W/O Lukas denied that his job was keeping Dr Aggett awake all night while Lieutenant Whitehead interrogated him.

The hearing continues next week.

# Memo on detainee care given

CAPE Town 4/10/82 (329)

Own Correspondent

JOHANNESBURG. — The Detainees' Parents' Support Committee has made recommendations for the protection of detainees to the Medical Association of South Africa's ad hoc committee of inquiry into the medical care of prisoners and detainees.

The DPSC's recommendations follow reports of torture and abuse experienced by detainees which were recently submitted by the DPSC to the security police.

Drawn up by the DPSC and its health sub-committees in Johannesburg, Cape Town and Durban, the recommendations deal with all aspects of detention, ranging from solitary confinement to the role of district surgeons.

## Monitor

The committee recommends in a memorandum that an independent monitoring body, preferably the International Red Cross, be set up to monitor the implementation of the recommendations and proposals.

The DPSC welcomed the establishment of the ad hoc committee of inquiry, in spite of "strong reservations" about Masa's failure to disclose the names of the members of the committee and its refusal to publish the evidence.

Some of the DPSC's recommendations are:

- Detainees in solitary confinement should be given access to relatives and friends with visual and auditory stimulation and access to others in custody during daily exercises.
- Detainees should be kept in cells with others in custody.

## Standards

- Physical conditions of detention: Minimum standards should be established for diet, outdoor exercise, ventilation and heating of cells, sleeping and sanitary facilities.
- Medical care: All detainees should be given access to independent medical practitioners on demand.
- District surgeons: District surgeons should consult with detainees on demand.

The security police should not have power to refuse the district surgeon access to detainees.

## Examinations

- Medical examinations: All medical examinations should be made under proper conditions with relation to privacy, proper lighting and appropriate facilities.
- Torture, assault or abuse: Where there is any evidence of torture, assault or abuse, the district surgeon should give a written report to the family, the independent panel of doctors and a medical practitioner of the detainee's choice.
- Medication: All medication and other forms of treatment should be administered by a doctor or other suitable qualified health personnel.

# SB charged after detainee dies

**A CHARGE of assault has been laid against the Security Police following the death of a young ex-detainee who was buried at the weekend.**

By CHARLES MOGALE

The charge, which follows the death of Miss Linda Dlodlo (18), of Meadowlands, was laid by the Senior District Surgeon of Johannesburg, Dr J Jacobson.

Miss Dlodlo died last month — 16 days after her detention under Section 29 of the new Internal Security Act.

She was detained on August 15 and released on September 7.

Her family said that, when she had first been picked up, the police had said they were looking for someone called "Sussannah".

They had later detained Miss Dlodlo and claimed it was in connection with a stolen vehicle.

Sapa reports that her mother, Mrs Pondi Dlodlo, a nursing sister at a Sandton Clinic, said: "My daughter was never the same after she was released from detention.

"She frequently complained of having difficulty in breathing."

Miss Dlodlo, a chronic asthma sufferer, was "critically ill" after her detention. She was later treated by a private doctor, who suggested that she be taken to hospital.

Miss Dlodlo was rushed to Baragwanath Hospital.

Near the hospital gates, she started gasping and clasped her mother. She died before she could be treated.

The police have confirmed that a charge has been laid against the Security Police.

Miss Dlodlo's burial on Saturday, attended by about 400 people, was held under the watchful eye of the police.

There were no incidents and freedom songs were sung on the way to the Avalon cemetery, where she was buried.

Meanwhile, Sapa reports that the Minister of Law and Order, Mr Louis le Grange, has deplored the procedure followed by the Detainees' Parents' Support Committee in "seeking sensational publicity" based on unsigned allegations of torture of detainees.

Mr Le Grange issued a brief statement in Pretoria on Friday on claims by the committee that "systematic and widespread torture" was used on their children.

"The DPSC delivered a memorandum concerning the alleged torture of detainees to my office on September 30, 1982."

The memorandum, he said, referred to "bundles of unsigned allegations by a number of detainees that I have received."

329

# Aggett 'had no sleep for 48 hours'

By Stuart Flitton

A security policeman denied in the Johannesburg Regional Court today that his job was to exhaust Dr Neil Aggett after Dr Aggett had been kept awake for more than 48 hours.

Major Johannes Visser was giving evidence at the inquest on Dr Aggett, who died in detention.

He said that on January 30 this year he and Captain D G Swanepoel had interrogated Dr Aggett at John Vorster Square from 6 am to 6 pm.

"Dr Aggett denied being involved with the African National Congress (ANC) or the South African Congress of Trade Unions (SACTU)", he said.

Major Visser said he had had no new information which would have persuaded Dr Aggett to change his statement.

A few minutes before 6 pm Dr Aggett had suddenly said he "wanted to tell the whole truth."

Major Visser said he had then handed Dr Aggett to other policemen and had not been interested in what Dr Aggett was going to say.

Mr Dennis Kuny, for the Aggett family, read extracts from a statement by Dr Aggett in which he said he had been kept awake from January 28 to 30.

**"UNIMPORTANT"**

"I don't know if he slept the night before I saw him but it's possible that he did," Major Visser said.

Major Visser denied his job was to exhaust Dr Aggett with long questioning after Dr Aggett had been tired by being kept awake for 48 hours.

Captain Swanepoel told the court the only document he and Major Visser had had while questioning Dr Aggett was a page of "unimportant notes" by Dr Aggett.

(Proceeding)

# Suzman calls for detainee probe now

(329)

Post 4/10/82

JOHANNESBURG — Mrs Helen Suzman, the chief Opposition spokesman on prisons, has called on the Minister of Law and Order to order an immediate investigation into methods of interrogation of detainees.

Speaking in Germiston yesterday at a Progressive Federal Youth forum on detention she responded to criticism by the Minister, Mr Louis le Grange, of the Detainees Parents Support Committee.

He alleged they had released a report prepared by them to the Press before allowing him to see it.

Mrs Suzman said Mr Le Grange should stop concerning himself with whether he or the Press first saw the report.

"What he should be concerned about is the truth of the allegations of inhuman and degrading methods of interrogation."

Mrs Suzman said an immediate investigation of the system should be conducted by people outside the police system.

Referring to Mr Le Grange's denial in Parliament of the possibility that ill-treatment could occur, Mrs Suzman said: "We need more than ministerial denial. We need a proper investigation.

The DPSC has made far-reaching recommendations as to how detainees could be protected in a memorandum to an ad hoc committee of the South African Medical Association which is inquiring into the medical care of prisoners and detainees.

They are based on a report on torture handed this year to Mr Le Grange.

The recommendations include that:

- Detainees should be given access to relatives and friends and be kept in cells with others.
- An independent monitoring body, preferably the International Red Cross, should be set up.
- Minimum standards should be established with regard to diet, outdoor exercise, ventilation and heating of cells, sleeping and sanitary facilities.
- All detainees should be given access to medical practioners chosen by the detainee or family.
- District surgeons should consult with detainees on demand and should visit them at least once a week. The Security Police must not be able to refuse them access.
- All medical examinations should be made under proper conditions with relation to privacy, proper lighting and appropriate facilities.
- District surgeons should provide written reports to different people of any evidence of abuse.

In such a case the detainee must have immediate access to a doctor or psychiatrist of his or her choice. — Sapa

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- District surgeons: District surgeons should consult with detainees on demand.

The security police should not have power to refuse the district surgeon access to detainees.

## Examinations

- Medical examinations: All medical examinations should be made under proper conditions with relation to privacy, proper lighting and appropriate facilities.
- Torture, assault or abuse: Where there is any evidence of torture, assault or abuse, the district surgeon should give a written report to the family, the independent panel of doctors and a medical practitioner of the detainee's choice.
- Medication: All medication and other forms of treatment should be administered by a doctor or other suitable qualified health personnel.

G 4/10/82

# Banning order lifted

(329)

**Own Correspondent**

DURBAN. — The banning order on Mr Harold Nxasana, a major figure in the early 70s' rebirth of black trade unionism, has been lifted.

In terms of Mr Nxasana's 1977 banning order, he was restricted to Umlazi and was forbidden to work in a factory, trade union or an educational institution.

Mr Nxasana said yesterday that he was "delighted" that his five-year banning order had been lifted.

"A trade union friend even found me a job with a Durban factory, but my application to have my banning order amended to allow me to take the job was turned down."

Mr Nxasana then hit on the idea of learning to use a knitting machine and has been supplying schoolchildren with jerseys.

(329) (332) RDM 4/10/82

# Masa gets detainee proposals

**Mail Reporter**

FAR-REACHING provisions for the protection of detainees have been made by the Detainees' Parents' Support Committee in a memorandum submitted to the Medical Association of South Africa's ad hoc committee of inquiry into the medical care of prisoners and detainees.

The DPSC's submissions are based on the report of torture and abuse experienced by detainees recently submitted by the DPSC to the Minister of Law and Order, Mr Louis le Grange.

The DPSC memorandum deals with all aspects of detention, ranging from solitary confinement to the role of district surgeons.

It recommends that an independent monitoring body be set up to monitor the implemenation of its proposals. Among the proposals are detainees having access to relatives and friends, as well as independent medical practioners on demand, being seen at least once a week by a district surgeon, and being kept in cells with others in custody.

The DPSC welcomed the establishment of the ad hoc committee of inquiry, despite "strong reservations" about Masa's failure to disclose the names of the members of the committee and it's refusal to make public the evidence submitted to it.

# Call for Red Cross watch on detainees

(329)

Star 5/10/82

By Carolyn Dempster

An independent body such as the International Red Cross should monitor the health care of detainees, the Detainees' Parents Support Committee said yesterday.

This is one of its main recommendations in a memorandum handed to the Medical Association of South Africa's ad hoc Committee of Inquiry into the health care of detainees and prisoners.

The DPSC said it was vital for an independent body to monitor the medical attention detainees received, because "it is evident that, in some cases district surgeons are under pressure from the Security Police to contravene medical ethics."

Other proposals were:

- Detainees should be kept in cells in the company of others in custody, and should have access to relatives.
- There should be minimum standards of diet, exercise, size and heating of cells, and sleeping and sanitary facilities.
- All detainees should have access to independent doctors on demand, or a panel of doctors.
- District surgeons should visit the detainee at least once a week. Security Police should not be able to deny access by a district surgeon.
- Where there is any evidence of torture assault or abuse, the district surgeon should give a written report to the family, the Attorney-General, the CID, and an independent panel of doctors.
- All medication should be administered by a medical doctor.

The DPSC expressed dissatisfaction with certain aspects of the MASA ad hoc committee.

Among these were that the members had not been made known, and guidelines for a code of conduct for medical practitioners treating detainees did not incorporate all the provisions of the Tokyo Declaration.

The DPSC also urged the committee to review conditions of detention in the homelands, where "some of the worst conditions of detention occur."

The Star Tuesday Octo

COURTS

(329)

# Aggett a communist, interrogator alleges

Star 5/10/82

By Stuart Flitton

Dr Neil Aggett told security policemen he was a communist and wanted to mobilise South African workers in a general strike, the Johannesburg Regional Court heard today.

Warrant Officer N J Deetlefs was giving evidence at the inquest on Dr Aggett, who died in detention at John Vorster Square.

Warrant Officer Deetlefs said that at 6 pm on January 30 this year he and two other policemen had taken over interrogating Dr Aggett from Major J Visser and Captain D G Swanepoel.

He said Major Visser had told him that Dr Aggett was prepared to "tell the whole truth."

Mr Dennis Kuny, for the Aggett family, said the court had been shown statements made by Dr Aggett which, according to Warrant Officer Deetlefs, contained most of the information appearing in the four pages.

"It is strange that we cannot see the four pages," Mr Kuny said.

Warrant Officer Deetlefs said Dr Aggett had admitted being a marxist and a communist but had not been questioned about this.

He said that at about 11.30 pm Dr Aggett had been invited to sleep on a camp bed in the tenth floor office at John Vorster Square.

"Dr Aggett seemed happier to stay with us than to return to his cell," Warrant Officer Deetlefs said.

Mr Kuny: If he made any admissions they were not made voluntarily.

Warrant Officer Deetlefs: He answered of his own free will and no pressure was put on him.

(Proceeding)

# Aggett wanted general strike — police

ARGUS 5/10/82 329

Argus Correspondent

JOHANNESBURG. — Dr Neil Aggett told security policemen he was a communist and wanted to mobilise South African workers in a general strike, Johannesburg Regional Court heard today.

Warrant Officer N J Deetlefs was giving evidence at an inquest on Dr Aggett, who died in detention.

At 6 pm on January 30 he and two other policemen took over interrogation of Dr Aggett from Major J Visser and Captain D G Swanepoel, said Warrant Officer Deetlefs.

"WHOLE TRUTH"

Major Visser told him Dr Aggett was prepared to "tell the whole truth".

The warrant officer added: "Dr Aggett said he was sympathetic with the African National Congress but did not say he was involved in the ANC."

Dr Aggett wrote about four pages but, said Warrant Officer Deetlefs, he was not allowed to reveal to court what was written.

Mr Dennis Kuny, for the Aggett family, said the court had been shown two statements by Dr Aggett which, according to Warrant Officer Deetlefs, contained most of the information in the four pages.

"It's strange that we cannot see the four pages."

Warrant Officer Deetlefs said Dr Aggett admitted being a marxist and a communist, but was not questioned about this.

About 11.30 pm Dr Aggett was invited to sleep on a camp bed on the tenth floor of the John Vorster Square police headquarters.

"Dr Aggett seemed happier to stay with us than to return to his cell."

Mr Kuny: "I put it to you that Dr Aggett must have been exhausted."

Warrant Officer Deetlefs: "No."

Mr Kuny: If he made any admissions, they were not made voluntarily.

Warrant Officer Deetlefs: "He answered of his own free will and no pressure was put on him."

(Proceeding)

CAPE Times 5/10/82 329

# Detainees: Suzman's inquiry call

**JOHANNESBURG. — Mrs Helen Suzman, chief Opposition spokesman on prisons, has called on the Minister of Law and Order to order an immediate investigation into methods of detainee interrogation.**

Mrs Suzman was speaking in Germiston yesterday at a PFP youth forum on detention. She was reacting to a statement by the Minister, Mr Louis le Grange, in which he criticized the Detainees Parents' Support Committee for allegedly releasing a report prepared by the DPSC to the press before allowing him to see it.

Mrs Suzman said Mr Le Grange should stop concerning himself with whether he or the press saw the report first.

"What he should be concerned about is the truth of the allegations of inhuman and degrading methods of interrogation."

## Mr Le Grange's denial

Referring to Mr Le Grange's denial in Parliament of the possibility that ill-treatment could occur, Mrs Suzman said: "We need more than ministerial denial.

"We need a proper investigation. Astonishingly enough, this entire aspect of detention without trial, deaths in detention and solitary confinement, was almost completely ignored by the Rabie Commission."

Mrs Suzman said the minister's credibility was at stake.

He had promised Parliament he would investigate orders and instructions concerning interrogation procedures and conditions in detention.

"Four months have passed and we still await the appearance of a code of conduct for detention and interrogations," Mrs Suzman said. — Sapa

# Aggett 'opened up his heart'

CAIC Trials 5/10/82 (329)

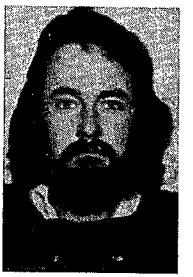
Own Correspondent

**JOHANNESBURG — Dr Neil Aggett had decided to "open up his heart" in the last 15 minutes of a 12-hour interrogation session, "probably because of the friendly way we talked to him", a security policeman said yesterday.**

Major Johannes Visser was giving evidence in the Johannesburg Regional Court at the inquest on Dr Aggett, found hanged in a John Vorster Square cell on February 5.

Major Visser and Captain Daniel Swanepoel, another security policeman, who carried out the 12-hour interrogation, both denied their role was to pressure Dr Aggett and to keep him awake.

Major Visser said Dr Aggett had admitted being a socialist, and this was similiar to admitting being a communist.



Dr Neil Aggett

### 'Normal'

Major Visser said he had been asked by Major Arthur Cronwright, who led the interrogation team, to question Dr Aggett from 6am to 6pm on Saturday, January 30, on the 10th floor of John Vorster Square.

Major Visser said his brief had nothing to do with labour matters or trade unions, but he had been told the background to the questioning by Lieutenant Whitehead that morning.

Dr Aggett was "perfectly normal", appeared rested and did not complain at all.

He had sat on a chair in the 10th floor office and had walked around when he wished, Major Visser said.

Dr Aggett had denied any connection with the African National Congress or the South African Congress of Trade Unions.

Major Arthur Cronwright was not satisfied and had told Major Visser to ask Dr Aggett about this.

Major Visser said that all day Dr Aggett had denied any connection with these organizations.

But 15 minutes before Major Visser was due to go off duty, Dr Aggett had agreed to "open up his heart and write a statement of the whole truth".

When Mr Dennis Kuny, representing the Aggett family, asked what had made Dr Aggett change his mind, Major Visser said it was "probably the way we had talked to him".

He said they had talked in a friendly way all day and gradually Dr Aggett "became more friendly and spoke more freely".

### 'Keep him awake'

Mr Kuny suggested that Major Visser's role was not to question Dr Aggett but to keep him awake and make sure he was extremely tired when Lieutenant Whitehead took over at 6pm. Major Visser denied this.

Captain Swanepoel said in evidence that he had "tried to win Dr Aggett's confidence" during this 12-hour session.

The trade unionist was normal.

Captain Swanepoel told the inquest he had questioned Dr Aggett about three other detainees — Miss Liz Floyd, Mr Feroz Cachalia and Mr Cedric Mayson — and had told Dr Aggett they had information linking him to the ANC and Sactu.

### Information secret

He said he had used classified information on Dr Aggett which he could not tell the court.

Dr Aggett had denied the allegations until 5.45pm.

Captain Swanepoel denied a suggestion that his role had been to make Dr Aggett change his statement.

Mr George Bizos, SC, assisted by Mr Kuny and instructed by Mr William Lane of Bell, Dewar and Hall, represents the Aggett family.

Representing the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger.

Mr Piet Haasbroek, assisted by Mr Andre de Vries, leads the evidence.

# Detained 3 for court

UMTATA — Three Transkei detainees will be brought to court tomorrow.

Transkei's Attorney-General, Mr George Muller, confirmed that Mr Ezra Sigwela, Mr Wilson Fanti and Mr S. A. Xobololo would appear to face charges under Transkei's Public Security Act.

Mr Sigwela, a field worker for the Transkei Council of Churches, was detained at his office on June 28.

Mr Xobololo, an executive member of the opposition Democratic Progressive Party, was detained on September 17 with an executive member of the party's youth league, Mr M. Mtshotwana.

Mr Muller said he was still studying the police dockets on Mr Mtshotwana.

Mr Fanti, of Mgwali, was detained in South Africa early in July and handed over to the Transkei security police. — DDR.

PARENTS: Mr Geelbooi Radebe and his wife Sannah leave the Kempton Park court building yesterday after their son's hearing.

# Prisoner tells of notes at Groenpunt jail

329

5/10/82

**A LONG-TERM SERVING prisoner yesterday told how a prison major had reprimanded him for writing notes on the "torture" of a Kempton Park terror trialist.**

By CHARLES MOGALE

Solomon Lelake (34), who is serving a nine- to 15-year stretch, was giving evidence before Mr I J J Luther in the Kempton Park terror trial.

Mr Stanley Radebe (27), Mr Ephraim Madalane (24), Mr Ernest Mohakalala (23) and Miss Innocentia Mazibuko have pleaded not guilty to charges under the Terrorism Act.

## BLOOD

Lelake told the court that on a day in March this year he and other prisoners at the Groenpunt Prison in the Free State had been moved out of the cells and locked in a fenced yard.

He had then seen Mr Radebe being taken into the evacuated block by two whites in civilian clothes and the chief warder, a Mr Pretorius.

Lelake said Mr Pretorius had been carrying a straitjacket.

When Mr Radebe had been taken out, his face had been swollen and his shirt blood-stained. Lelake said his cell had been in disarray.

"When I got back to my cell, I wrote notes about it because it was a very strange thing. I thought we had been taken out so that we could not see what was happening in the cells. It was something that had never happened before," he said

## NOTES

Later, he said, the cells had been searched and the notes had been found.

"The chief of the prison, Major Boshoff, came to me and reprimanded me. He told me I was not in prison to note what was going on. I never saw the note again," Lelake said.

Earlier, another convicted prisoner, James Moloisane, told the court he had heard Mr Radebe screaming in pain in an office near the isolation block of cells.

He then had seen him (Mr Radebe) taken back to his cell by a warder called City.

"His face was swollen, and there were blood-stains on his shirt," Moloisane said.

## SWOLLEN

Three days later, when the prisoners in the isolation block had been taken out to exercise, Mr Radebe had walked with difficulty.

"He dragged his legs and walked slowly. He tried to do some exercise but stopped. It was as if he was in pain," he said.

A third prisoner, George Dladla, who was also locked in the isolation block in March, said he had seen Mr Radebe's face swollen and his shirt blood-stained.

The two men had talked to each other by shouting from their cells, and Mr Radebe had said he had been assaulted because "they wanted him to agree to something about bombs".

The case is proceeding.

# Split in ranks 'hurt Tucsa'

5/10/82, 329 Star

Labour Reporter

Unions which opposed a resolution at the Trade Union Council of SA's annual conference in Cape Town last month which dealt with detentions have been criticised for damaging the federation's image.

The criticism comes in an editorial in the Garment Worker, published by the Garment Workers' Union (Transvaal) which moved a resolution calling for detainees to be charged or released.

Opposition from largely white-member unions resulted in the motion being narrowly defeated after a ballot was held at the conference.

The editorial says the resolution was not a fundamentally new issue and had been a subject previously supported by Tucsa.

"Unless some delegates have paid lip service to an ideal they do not support, there is no division on this principle," the editorial states.

The difficulty over the issue of the detention of trade unionists was on how to solve the problem. Tucsa stood firm on the moral and civil rights aspects of the subject, the editorial said.

**CODE**

A resolution passed at the conference called for a code of detainee treatment. The GWU of SA resolution, which called for the "normal processes of law" to be observed, was defeated.

"We believe that there was no conflict between these resolutions and they should both have been passed," the editorial said.

Unless Tucsa continued to stick to its ideals, it gave credence to those who said the federation was being hijacked by a fifth column which was hostile to its ideals, it concluded.

**AGGETT INQUEST**

# A 'broken man'

By ANTON HARBER

DR Neil Aggett was "a broken man" when he was returned to his detention cell on January 30 after over 50 hours on the 10th floor of John Vorster Square.

Mr George Bizos, SC, for the Aggett family at the inquest into their son's death in detention, made this submission in the Johannesburg Regional Court yesterday. He put it to Lieutenant Joseph Woensdregt, a Security Policeman who had interrogated Dr Aggett that night.

Mr Bizos also suggested that any admission made by Dr Aggett was made because he "was given no choice".

He said hard, illegal forms of questioning had been used on the trade unionist, who had been denied sleep and as a result had left the 10th floor a broken man.

Lt Woensdregt denied the allegations. He and Warrant Officer Nicolaas Deetlefs, who also took part in that night's interrogation, told the court Dr Aggett had chosen to be in the interrogation room and would have been returned to his cell if he had asked.

He was perfectly normal and relaxed all the time, W/O Deetlefs said.

They had been instructed to do "special service" that weekend, but they were surprised to learn when they arrived that they were to question Dr Aggett. It was the only time that either of them, with no specialised knowledge of trade unions, had dealt with Dr Aggett.

The two policemen had reported for duty at 6pm and were told by the previous shift of interrogators that Dr Aggett had decided to write a statement containing the whole truth, they told the court.

They and Lt Whitehead questioned him until midnight, when he was allowed to sleep in the interrogation room while they assessed what he had said and written. At about 2.30 am, he was returned to his cell and they went home, the policemen said.

Mr Pieter Schabort, SC, for the Minister of Law and Order, said four pages of notes Dr Aggett had written that night were still part of an investigation and the contents could not be revealed in court.

# Policeman admits contradiction

Argus 6/10/82 (329)

Argus Correspondent

JOHANNESBURG. — A security policeman, Warrant Officer D Mapophe, admitted at the inquest on Dr Neil Aggett today that his evidence contradicted that of an earlier police witness.

Warrant Officer Mapophe was giving evidence in Johannesburg Regional Court. Dr Aggett died in detention.

He said that on January 30 he was present when Lieutenant Whitehead and Warrant Officer de Bruin interrogated Dr Aggett.

Warrant Officer Mapophe said he did not interrogate Dr Aggett, but was there to make coffee and accompany Dr Aggett to the toilet.

**FEW QUESTIONS**

Mr George Bizos, SC, for the Aggett family, referred to Warrant Officer de Bruin telling the court earlier that Warrant Officer Mapophe asked Dr Aggett a few questions.

Mr Bizos: "Do you agree that this evidence does not accord with that which you have given?

Warrant Officer Mapophe: "Yes."

Do you say you are right and Warrant Officer de Bruin is wrong?

I swore to tell the truth but did not swear to tell the truth about someone else's evidence.

Yes — well that is a very picturesque way of putting it.

**"RELUCTANT"**

Warrant Officer Mapophe said that during the five-hour interrogation he made coffee and warm water and accompanied Dr Aggett to the toilet.

He worked during the day on January 30 and was told to report for duty at 6pm.

Mr Bizos: "I'm going to tell the court you are reluctant to answer these questions (about being instructed to report for duty at 6pm) because you know you were arranged in teams to interrogate Dr Aggett that weekend."

Warrant Officer Mapophe: "I heard that for the first time now."

COURTS

# Aggett inquest: SP evidence contradictory, court hears

(329) Stan 6/10/82

By Stuart Flitton

A security policeman admitted today at the inquest on Dr Neil Aggett that his evidence contradicted that of an earlier police witness.

Warrant Officer D Mapophe was giving evidence at the Johannesburg Regional Court inquest. Dr Aggett died in detention in February this year.

The policeman said that on January 30 this year, he was present when Lieutenant Whitehead and Warrant Officer de Bruin interrogated Dr Aggett on the 10th floor of John Vorster Square.

Warrant Officer Mapophe said he did not interrogate Dr Aggett but was there to make coffee and accompany Dr Aggett to the toilet.

Mr George Bizos, SC, for the Aggett family, referred to Warrant Officer de Bruin telling the court earlier that Warrant Officer Mapophe had asked Dr Aggett a few questions during the interrogation.

Mr Bizos: Do you agree that this evidence does not accord with that which you have given?

Warrant Officer Mapophe: Yes.

Mr Bizos: Do you say you are right and Warrant Officer de Bruin is wrong?

Warrant Officer Mapophe: I swore to tell the truth but did not swear to tell the truth about someone else's evidence.

Mr Bizos: Yes, well that is a very picturesque way of putting it.

Warrant Officer Mapophe said that during the five-hour interrogation, he made coffee and warm water and accompanied Dr Aggett to the toilet.

He said he did not know why Lieutenant Whitehead and Warrant Officer de Bruin could not have done these jobs.

Warrant Officer Mapophe said he had worked during the day of January 30 and was told by his superior to report for duty at 6 pm.

Mr Bizos: I am going to tell the court you are reluctant to answer these questions (about being instructed to report for duty at 6 pm) because you knew you were arranged in teams to interrogate Dr Aggett that weekend.

Warrant Officer Mapophe: I heard that for the first time now.

Warrant Officer Mapophe said he did not find it strange that Dr Aggett slept on a camp bed on the 10th floor office instead of returning to his cell on January 30.

He said he had chatted with Dr Aggett when Lieutenant Whitehead and Warrant Officer de Bruin went to buy some food.

Warrant Officer Mapophe said he asked Dr Aggett about Baragwanath Hospital and Dr Aggett answered "like a friend."

(Proceeding)

The Times 6/10/82

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# Police tell of winning Aggett's trust

Own Correspondent

JOHANNESBURG. — A security policeman, who interrogated Dr Neil Aggett on the night he was alleged to have "opened up his heart", was once convicted for assaulting a magistrate.

Testifying yesterday during the inquest on Dr Aggett, Lieutenant Joseph Woensdregt admitted the previous conviction and said he had paid damages in the civil suit that followed.

Warrant Officer D Maphophe, who also interrogated the trade union leader, told the court he had made a statement about Dr Aggett's allegations of torture — but had given the statement to another officer implicated in the incident.

Speaking in Shangaan, WO Maphophe said Lieutenant Whitehead had asked him to make a statement about January 29, a night he had taken part in Dr Aggett's interrogation, but he had not known what the statement was for.

## 'No sleep'

Dr Aggett laid a formal complaint that Lieutenant Whitehead and others had deprived him of sleep, assaulted him and given him electric shocks between January 28 and January 30.

WO Maphophe said his role in the questioning was to make the coffee and he had not seen any assault on Dr Aggett.

Lieutenant Woensdregt and WO Nicolaas Deetlefs described to the court how they and Lieutenant Whitehead had interrogated Dr Aggett from 6pm to about midnight on Saturday, January 30.

WO Deetlefs said Dr Aggett had said he "believed in the Marxist ideology and was therefore also a communist" and he was mobilizing workers for a general strike.

He said he was not a card-carrying member of the African National Congress, but had worked to further its aims in the trade unions, WO Deetlefs said.

## 'Scared'

He had given a list of names of people connected to the ANC and Sactu, but was scared to write them down or sign the list written down by Lieutenant Whitehead. This was because he did not want to implicate his friends, WO Deetlefs said.

Asked why Dr Aggett had decided to tell them this when he had denied it for so long, both Lieutenant Woensdregt and WO Deetlefs said they and the previous shift of interrogators must have won Dr Aggett's trust.

"People react differently when they are questioned by different people. Perhaps they (the previous interrogators) had used different methods to talk to him and win his trust," Lieutenant Woensdregt said.

WO Maphophe continues with his evidence at 9am today.

# Role sought for Red Cross in care of detainees

ARGUS 6/10/82

329

Argus Correspondent

JOHANNESBURG. — An independent body such as the International Red Cross should be called in to monitor the health care of detainees and afford district surgeons some protection in the execution of their duties.

This is one of the major recommendations in a memorandum handed to the Medical Association of South Africa's ad hoc committee of inquiry into the health care of detainees and prisoners by the Detainees' Parents Support Committee.

The DPSC stated it was vital for an independent body to monitor the medical attention detainees received because "it is evident that in some cases district surgeons are pressured by the Security Police to contravene basic medical ethics".

**COMPANY**

The committee also said: "Detainees should be kept in cells in the company of others in custody. To obviate solitary confinement, detainees should have access to relatives and visual and auditory stimulation."

Minimum standards should be established for diet, exercise, size and heating of cells and sleeping and sanitary facilities.

"All detainees should have access to independent medical practitioners on demand or a panel of medical practitioners."

**PROCEDURES**

District surgeons should adhere to certain procedures and visit the detainee at least once a week.

Security police should not deny access by the district surgeon and all examinations should be made under private conditions with proper lighting and medical facilities, the committee added.

"Where there is any evidence of torture, assault or abuse the district surgeon should give a written report to the family, Attorney-General and the CID and an independent panel of doctors.

**CONTACT**

"In addition the security police named in the report should be restricted from further contact with the detainee concerned.

"Evidence of physical or mental strain in the detainee should be treated similarly." All medication should be administered by a medical doctor.

In addition, the DPSC urged the ad hoc committee to review conditions of detention in the homelands where "some of the worst conditions of detention occur"

# Suzman seeks probe over interrogation

Argus Correspondent

JOHANNESBURG. — Mrs Helen Suzman, the chief Opposition spokesman on prisons, has called on the Minister of Law and Order, Mr Louis le Grange, to order an immediate investigation into methods of interrogation of detainees.

She was addressing a Progressive Federal Party youth forum in Germiston on the Minister's response to a report made to him by the Detainees' Parents Support Committee (DPSC).

Mr le Grange attacked the DPSC for allegedly releasing the report to the Press before giving it to him.

Mrs Suzman said Mr le Grange should stop concerning himself with protocol as to whether he or the Press saw the report first.

**TRUTH**

"What he should be concerned about is the truth of the allegations of inhuman and degrading methods of interrogation."

Mrs Suzman said an immediate investigation of the system should be undertaken by people outside the police system itself.

She referred to the Minister's denial during the parliamentary session of the possibility of ill-treatment.

"We need more than a ministerial denial," she said.

"We need a proper investigation. Astonishingly enough, this entire aspect of detention without trial, deaths in detention and solitary confinement was almost completely ignored by the Rabie commission."

*MRS Helen Suzman, MP*

Mrs Suzman said the Minister's own credibility was now at stake.

He had promised Parliament that he would investigate existing force orders and instructions concerning conditions in detention and interrogation.

He had undertaken to announce broad guidelines in this connection at a later stage.

"Four months have passed and we still await the appearance of a code of conduct for detention and interrogations."

# Aggett's interrogator admits assault conviction

By ANTON HARBER

A SECURITY policeman who interrogated Dr Neil Aggett on the night he was alleged to have "opened up his heart" was once convicted for assaulting a magistrate.

Testifying yesterday during the inquest into the death in detention of Dr Aggett, Lieutenant Joseph Woensdregt admitted the previous conviction and said he had paid damages in the civil suit that followed. No further details were given.

And Warrant-Officer D Maphophe, who also interrogated the trade union leader, told the court he had made a statement about Dr Aggett's allegations of torture — but had given the statement to another officer implicated in the incident.

WO Maphophe said Lieut Whitehead had asked him to make a statement about January 29, but he had not known what the statement was for.

Dr Aggett laid a formal complaint that Lieut Whitehead and others had deprived him of sleep, assaulted him and given him electric shocks between January 28 and January 30.

WO Maphophe said his role in the questioning on January 29 was to make coffee. He had not seen any assault on Dr Aggett.

Lieut Woensdregt and WO Nicolaas Deetlefs described how they and Lieut Whitehead interrogated Dr Aggett from 6pm to about midnight on January 30.

WO Deetlefs said Dr Aggett had said he "believed in the Marxist ideology and was therefore also a Communist".

He said he was not a card-carrying member of the African National Congress, but had worked to further its aims in the trade unions.

He had given a list of names of people connected with the ANC and SACTU, but was scared to write them down or sign the list written down by Lieut Whitehead. This was because he did not want to implicate his friends, WO Deetlefs said.

When Mr George Bizos, SC, for the Aggett family, asked why he would tell them names but not write them down, Lieut Woensdregt said: "It could be that he liked us, that he preferred our approach."

Both Lieut Woensdregt and WO Deetlefs said they had not known for how long Dr Aggett had been questioned before they arrived, but he looked normal, relaxed and rested and his clothes were not crumpled, despite his having been on the 10th floor for more than two days.

WO Deetlefs said Dr Aggett had chosen to stay on the 10th floor because the atmosphere there was pleasant.

WO Maphophe continues his evidence at 9am this morning.

(Mr George Bizos SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewar and Hall, appears for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Haasbroek, assisted by Mr Andre De Vries, leads the evidence)

● See A 'broken man' Page 13

Things were jumpi... Michelle Sutton, 21,...

# Drugs involved, say gunmen

Mail Correspondent

DURBAN. — Two young men who claimed they took drugs, liquor and dagga before entering Natal Command and releasing a prisoner in detention barracks at gunpoint, committed a serious offence, a Durban Regional Magistrate said yesterday.

Appearing before Mr G B Smit were Kenneth Vincent Moscos, 19, and Peter Biddlecombe, 18.

They were found guilty of illegally entering Natal Command in March this year and assisting a national serviceman to escape after pointing a pistol at the guard commander.

They were also convicted of possessing unlicensed firearms.

Both men pleaded guilty.

They told the court they decided to release a friend who was in detention barracks.

They drove to Natal Command, jumped over the fence, and at gunpoint ordered the commander to release the prisoner.

Moscos admitted a previous conviction for theft and Biddlecombe a conviction for removing property without the consent of the owner.

Moscos was fined R600 (or six months') with a further 12 months' jail suspended for five years. Sentence on Biddlecombe was postponed for five years.

# Watchman kidnapped

Pretoria Bureau.

POLICE are investigating a robbery in which a filling station watchman was kidnapped and dumped at Hillbrow this week.

Mr Abraham Hlaghala, 23, of Dendron, Northern Transvaal, was robbed of R1 170 by four men on Monday night.

The men arrived at 12.30am and asked Mr Hlaghala for oil. One of them pointed a revolver at him.

He was then tumbled into their car and forcibly transported to Johannesburg. When the car reached Hillbrow Mr Hlaghala was dumped. He was not hurt in the incident.

# Racing stars challenge South Africa.

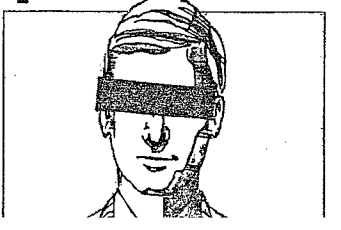
Mail Reporter

THE advance guard of the international motorcycle stars who will be taking on South Africa in the Elna Superbike International Event on Saturday at Kyalami arrived in Johannesburg yesterday.

Among the riders who arrived at Jan Smuts Airport was South African Jon Ekerold, who won the world 350cc title in 1980. Other overseas stars who arrived were: Eric Saul — France, Patrick Fernandez — France, Peter Clifford — Great Britain, Graeme McGregor — Australia, Jeff Sayle — Australia and Harald Bartol — Austria.

Peter Clifford said the overseas challenge was stronger than last year.

Is it unfair to use a computer to pass matric?



# TV owners to be penalised

Mail Reporter

Thousands of television owners have failed to comply with the September 30 deadline to renew their licences and now face stiff penalties.

An SABC spokesman said yesterday a period of grace had been offered until October 31, but a monthly 10% penalty fee would be applied.

He said the reduced rates being offered to senior citizens applied to social pensioners only. Instead of paying the normal fee of R42, this group would now pay R24.

# Buffalo kills US woman

NAIROBI — A rampaging

# DTA pr... make d...

Mail Africa Bureau

WINDHOEK. — The D... cratic Turnhalle Alli... prepared to broaden the ... of the present gove... South West Africa — if South African Gove... extends the term of offi... the DTA-controlled ... government.

The chairman of the ... ters' Council Mr Dirk ... has told a local news... the DTA had previously tempted to broaden the ... of representation in National Assembly — had even appointed ... to the council, the very the South African Go... ment now had in mind.

Mr Mudge said the SA ... for a non-elected ... based interim govern... would not work. The ... would support a broad-... interim government — vided it was established democratic way and by elected DTA authority ...

Meanwhile it was nounced yesterday that National Assembly's last sion starts on November days before the assem... term of office expires.

# Unions attacked on Tucsa resolution

ARGUS 6/10/83 (329)
Argus Correspondent

JOHANNESBURG. — Unions which opposed a resolution at the annual conference of the Trade Union Council of South Africa (Tucsa) in Cape Town last month, which dealt with detentions, have been accused of damaging the federation's image.

The criticism comes in an editorial in the Garment Worker, published by the Garment Workers' Union (Transvaal), which moved a resolution proposing that detainees be charged or released.

However, opposition — largely from white member unions — resulted in the motion being narrowly defeated after a ballot was held at the conference.

The editorial said the resolution was not a fundamentally new issue and had been a subject previously supported by Tucsa.

"Unless some delegates have paid lip service to an ideal they do not support, there is no division on this principle," the editorial said.

The difficulty arising over the issue of the detention of trade unionists was on how to solve the problem. Tucsa stood firm on the moral and civil rights aspects of the subject.

A resolution at the conference which called for a code of detainee treatment was passed while another which proposed that the "normal processes of law" be observed was defeated.

The editorial said: "We believe that there was no conflict between these resolutions and they should both have been passed."

Unless Tucsa continued to stick to its ideals, it gave credence to those who said the federation was being hijacked by a fifth column which was hostile to its ideals.

# Only 1 Ciskei detainee

## — Sebe

6/10/82

ZWELITSHA — There was only one political detainee in Ciskei, the Commander-in-Chief of State Security, Lt-General X. C. Sebe, said in an interview yesterday.

The detainee was 56-year-old Mr Thembekile Templar Nyobo, of Tshatshu village — President Lennox Sebe and General Sebe's Village near here.

Mr Nyobo, was picked up by the Ciskei police in August, according to a member of his family.

General Sebe said Mr Nyobo was detained under the country's security laws. He could not say when he would be charged or released. He said he would give more information about him later.

Another Tshatshu man, Mr Johnson Nongena, who had been detained on Sunday was released yesterday morning, General Sebe said.

He said Mr Nongena had been detained after a disturbance at Tshatshu on Sunday and was released after investigation. — DDR.

# Terror trialist to be X-rayed for fractures

**THE Kempton Park Regional Court yesterday granted an order for an accused to be examined by a district surgeon to determine if his ribs had healed fractures.**

The order was granted by Mr I J J Luther after counsel for the defence, Mr D Soggot, had submitted that injuries to the rib-cage could be X-rayed even if they had healed.

Mr Soggot made the application following claims by accused Mr Stanley Radebe that he had made a statement to the Security Police after being assaulted.

By CHARLES MOGALE

Mr Radebe and three others, Mr Ephraim Madalane, Mr Ernest Mohakalane and Ms Innocentia Mazibuko, have all pleaded not guilty to charges under the Terrorism Act.

Six long-term prisoners have testified hearing Mr Radebe crying out in pain while he was in an office with warders and plainclothes men at the Groenpunt Prison in the Free State.

The court also heard that Mr Radebe's shirt had been seen stained with blood and that three days later he could still not walk "because he was obviously feeling pain".

One of the long-term prisoners, Sydney Nxumalo, said he had been himself assaulted by two men in plain clothes because he had "ANC" tattoed on his chest.

He said he had been waiting outside a major's office when the two men he had earlier seen with Mr Radebe had confronted him. They had asked him what the "ANC" was, and when he had said that he did not know he had been slapped and punched.

Mr Nxumalo said the tattoo had been drawn on him while he had been at the Leeukop Prison "long ago".

"I don't know what the ANC is. I just saw it written under a picture of a clenched fist and a broken chain. I thought it was a karate word," he said.

Proceeding

# Le Grange urged to resign

Star 7/10/82 (329)

By Carolyn Dempster

The Detainees' Parents Support Committee has called on the Minister of Law and Order, Mr. Louis le Grange to resign.

At a mass meeting in the University of the Witwatersrand Great Hall yesterday, DPSC representative Mr David Webster told 1 000 students: "If the Minister denies the allegations that torture takes place in detention then he obviously does not know what is going on in his own department.

"If he says it does happen we demand that he resign as well because in that case, people must be being trained for this purpose."

Mr Webster challenged Mr le Grange to answer the allegations of detainee torture presented to him in a memorandum compiled by the DPSC last week.

"So far, instead of a serious reply to these allegations all we have received is a series of evasions from the Minister," said Mr Webster.

329

# Torture allegations: call to Minister to resign

By MARTIN FEINSTEIN
Education Reporter

THE Minister of Law and Order should resign — whether he denies or confirms the allegations of Security Police torture put forward by the Detainees' Parents Support Committee (DPSC), a DPSC spokesman said yesterday.

Speaking to almost 1 000 students at a University of the Witwatersrand mass meeting yesterday, Mr David Webster challenged the Minister, Mr Louis le Grange, to reply to last week's DPSC allegations of widespread torture.

The allegations were contained in a memorandum submitted to Mr Le Grange.

Mr Webster said: "We are asking the Minister: Will he confirm or deny that there is in fact systematic maltreatment of detainees, such as ... sleep deprivation, enforced standing and physical exertion, being kept naked during interrogation, being suspended from poles and trees, common assault, electric shocks and attacks on the genitals.

"We challenge him now to reply and we're interested to know what his response is going to be.

"If the Minister denies that these activities take place, we ask him to resign, because that means he does not know what's going on in his own department.

"If he says it does happen, we demand that he resign, because the system must be sanctioned somewhere along the line.

"On either basis we believe the Minister cannot win, and we want nothing less than a judicial inquiry into these allegations."

Veteran civil rights campaigner Mrs Helen Joseph also addressed the meeting, but may not be quoted as she is a "listed" person.

The president of the university's Student Representative Council, Mr Lloyd Vogelman, said people sometimes exclaimed that detentions took place "for a good reason".

"Their statement does carry some truth — detentions do not strike down uninvolved bystanders," he said.

"On the contrary, those who are detained represent a real threat to the Government for they believe in freedom, democracy and justice for all.

"The Government may accuse our friends of treason, terrorism or other evil-sounding crimes, but if it is treason to believe in democracy then the law itself is at fault."

bouquet of flowers, arrived at Sun City yesterday by helicopter from
n African performances on Friday.

# Aggett inquest: policeman denies 3 assault claims

By ANTON HARBER

ONE of Dr Neil Aggett's interrogators told the inquest court yesterday he had first read of the trade unionist's death in a Friday morning newspaper — although the death was only announced in the afternoon Press.

Detective-Sergeant James Andrew "Schalkie" van Schalkwyk, one of a number of Railway Policemen seconded briefly to the Security Police to assist them in their investigation, said he was "certain" he had read of Dr Aggett's death on February 5, before leaving for work at John Vorster Square.

The burly policeman — implicated in formal assault complaints from three detainees — yesterday denied assaulting Dr Aggett, Mr Premananthan Naidoo or Mr Sharish Nanabhai during their detention, and could not explain why they had complained.

He had taken part in the interrogation of Dr Aggett from December 15 to 24 last year, and briefly on January 4 this year. He had not asked many questions because he was there to learn SP interrogation techniques, he told the Johannesburg Regional Court.

Dr Aggett had co-operated and had never complained. He was always friendly and had drunk tea, ate and smoked with his interrogators, who had questioned him about links with the banned African National Congress and the South African Congress of Trade Unions. Dr Aggett had denied any links.

The head of the interrogation team, Major Arthur Cronwright had told him later Dr Aggett had laid a complaint of assault implicating him. He had told Maj Cronwright it was not true.

Lieutenant Steven Peter Whitehead, a security policemen who specialised in labour matters and led much of Dr Aggett's interrogation, described the last few day's of the unionist's life: Dr Aggett had overheard him sending a telex requesting the arrest of people named by Dr Aggett on February 4 — only hours before he was found hanged in his cell, and on Saturday, January 29, Dr Aggett had expressed fear that he would be jailed for what he was saying.

Lieut Whitehead had asked a Major Visser to reassure the detainee and win back his trust, he said. Dr Aggett had later begun his second statement, he said.

The inquest continues this morning with the cross-examination of Lieut Whitehead.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell, Dewar and Hall, appears for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Haasbroek, assisted by Mr Andre De Vries, leads the evidence).

# Strike at Rosebank store

Labour Correspondent

MANAGEMENT at OK Bazaars' large Rosebank store had to man tills yesterday after cashiers struck — apparently in protest at an investigation into theft allegations against a colleague, sources at the store said yesterday.

The sources said workers had stopped work after police had been called to investigate claims that money in one of the cashiers' tills had been "short".

Neither OK Bazaars nor Commercial, Catering and Allied Workers Union of SA (Ccawusa) spokesmen could be contacted yesterday. By late yesterday it was unclear whether the strike had been settled.

The strike is the latest in a rash of stoppages to hit major chain stores this year.

# Dealers in scrap metal hit

Mail Reporter

DEALERS in the R140-million a year scrap metal business took a 15% knock yesterday — despite the 10% increase in the consumer price of steel.

The main buyer for their scrap metal, Ferrous Scrap Distributors, has reduced prices by 15%. Ferrous Scrap controls 95% of scrap metal which is recycled and supplied to Iscor and major manufacturers.

The general manager of Ferrous Scrap Mr P van Andel said yesterday the company was making reduced payments because of the economic downturn.

He said the Iron and Steel Corporation (Iscor) had been forced to take on 70 000 tons of scrap metal a month in an attempt to honour contracts with scrap metal dealers. Formerly it used 20 000 tons a month.

# Stricken father's ordeal seen as bequest

By Joe Openshaw

Dr Neil Aggett's father, Mr John Aubrey Edward Aggett, has already spent R55 000 to attend and be legally represented at his son's inquest to "ensure that Neil did not die in vain."

And 70-year-old Mr Aggett is prepared to spend considerably more — even twice that amount — to make public evidence related to his son's death in detention at John Vorster Square.

"Let the public be the judge," says Mr Aggett, who reluctantly agreed to be interviewed.

He says the money has gone on legal fees and air fares to and from the Aggett home in Somerset West to Johannesburg. Several journeys have been necessary because of adjournments of the inquest since it began on April 1.

The inquest will be adjourned twice more — on Wednesday, when time will be set aside later this year to hear expert evidence and argument, and later to allow the magistrate, Mr P A J Kotze, time to consider his findings.

The first postponement was on April 1 to allow Mr Pieter Schabort, representing the Minister of Law and Order, to challenge in the Supreme Court the admissability of a statement made by Dr Aggett 14 hours before he died.

In the affidavit which made harrowing reading for Mr Aggett and his wife Joyce, Neil Aggett spoke of being tortured twice during interrogation. He wrote he had been slapped and punched and his testicles had been squeezed on January 4, and on January 29 he had been given electric shocks.

The inquest is to determine if anybody is legally responsible for the death of Dr Aggett on February 5.

Police say Dr Aggett committed suicide.

Mr Aggett and his family say if it was suicide it was induced by the manner of detention.

Mr Aggett, his wife and his daughter, Mrs Jill Burger, have sat through 30 court days of evidence from people who were the last to have dealings with Dr Aggett or see him alive — the Security Police and detainees. The police have, to a man, denied Dr Aggett was ill-treated.

Detainees have told another story.

The long days in court have taken their toll. Mr Aggett is now an aggrieved and sick man.

"I have only to think what that kid went through and I break down," he says, his eyes filling with tears.

During a recent operation he was found to be a diabetic.

"Doctors say the diabetes has been caused by shock and strain," he says. "I can accept diabetes. But whatever the outcome of the inquest, my family and I will be the losers . . . big losers.

"We have lost Neil. This loss and the expense will be warranted if the laws relating to detention are changed.

"We hope that in future people in the position my son was in will be judged and sentenced by those duly appointed for this task — magistrates and judges."

Mr Aggett is opposed to detention without trial.

"In detention one gets into a state of apprehension and helplessness," a former detainee, Sisa Njikalana, told the court. He also said he had been put in handcuffs and leg irons and given electric shocks.

Dr Elizabeth Floyd, who lived with Dr Aggett and was detained when he was, said interrogation was intimidating.

"They treat you as if you are guilty and you begin to wonder if you aren't guilty," she said.

Mr Pramanathan Naidoo said that as a detainee he had been beaten until he screamed, allowed little sleep and made to stand for long periods.

Asked why he had not complained, he said: "I was afraid I would go through the same thing all over again."

Mr Aggett's counsel extracted so much evidence about conditions of detainees that Mr Schabort observed the Aggett inquest "has been turned into a commission of inquiry into the security laws of this country."

This is, perhaps, what Mr Aggett had in mind when he said his money would have been well spent if the inquest highlighted allegations by detainees regarding the way they are treated by the Security Police.

Mr Aggett and his family believe that, whatever the findings are, the expense the hearing entails must be looked upon as a fitting posthumous inheritance to Dr Aggett, trade unionist.

Coffee for the Aggett family and their legal representatives is brought to the Johannesburg Magistrate's Court each morning by Mrs Elizabeth Lane (left), wife of the instructing attorney, Mr William Lane. With her (from left) are Dr Aggett's parents, Mr J A E Aggett and Mrs J N Aggett, Mr David Dison, one of the family's attorneys, and Dr Liz Floyd, Dr Aggett's girlfriend. Mr George Bizos, SC, and Mr D Kuny, counsel for the family, and Mrs Jill Burger, Dr Aggett's sister, frequently join them for coffee.

# SP deny silence pact on Aggett

329 Star 7/10/82

By Stuart Flitton

The chief interrogator of Dr Neil Aggett denied in the Johannesburg Regional Court today there was a Security Police conspiracy to keep quiet about Dr Aggett's allegations that he was assaulted in detention.

Lieutenant Steven Peter Whitehead was giving evidence at the inquest on the trade unionist who died in detention in February.

Lieutenant Whitehead said he did not know why he had excluded Dr Aggett's complaints about assault from his affidavit prepared for the inquest.

He said he had made an affidavit denying the complaints when the police had investigated the complaints.

Mr George Bizos, SC, for the Aggett family, told the court that none of the affidavits prepared for the inquest mentioned Dr Aggett's complaints.

Referring to Dr Aggett's allegations that Lieutenant Whitehead and other policemen had put a towel around his head and electrically shocked him, Mr Bizos said: "I have avoided using the emotive word torture but if the allegations were true, this is what it was.

"If Dr Aggett was prepared, under oath, to say he was electrically shocked, this was an important point about his state of mind.

"He was either becoming deliberately untruthful or suffering from delusions."

Lieutenant Whitehead said he had been shocked when he had heard Dr Aggett had been found hanged and had assumed he had committed suicide.

Mr Bizos put it to Lieutenant Whitehead that the following factors, mentioned in his own evidence, might have caused Dr Aggett to commit suicide:

● Dr Aggett had allegedly overheard a telex being sent by the police which might have led to people, who were allegedly named by Dr Aggett, being arrested.

● Dr Aggett had allegedly written four pages of notes which the Security Police had refused to reveal to court.

● Dr Aggett had allegedly feared being prosecuted.

Lieutenant Whitehead said he had not included these facts in his affidavit because they were privileged information.

Mr Bizos: What is so privileged about a man being fearful of prosecution?

Lieutenant Whitehead: It is not privileged.

Lieutenant Whitehead said Dr Aggett had on several occasions admitted being a marxist and working for the African National Congress. There were three categories of ANC membership — sworn in card-carrying members, active supporters and sympathisers. Dr Aggett had fallen between the last two categories, he said.

Lieutenant Whitehead said Dr Aggett had held meetings with banned members of the South African Congress of Trade Unions during which he had discussed the creation of underground unions and military service.

Dr Aggett had told him if he were called up for military service in the South African army, he would follow ANC policy and leave the country.

Shown a list which named Dr Aggett as a member of an ANC cell on the Rand, Lieutenant Whitehead said it was a minor document. He agreed Dr Aggett's first name and surname had been incorrectly spelt.

He said he had information that Dr Aggett had been a member of another ANC cell and the list had come as a surprise.

Asked if Dr Aggett would have been released only when he made a written statement admitting his ANC membership, Lieutenant Whitehead said: "I would not have released Dr Aggett until I got the full truth about the ANC and his marxism.

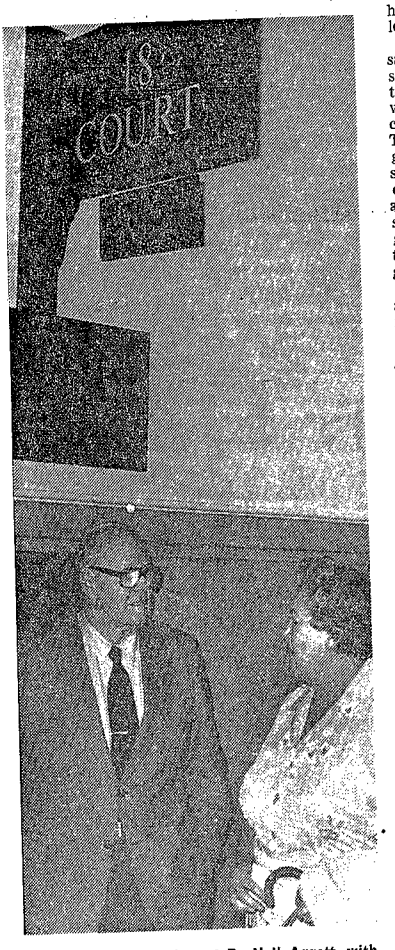
Yesterday Lieutenant Whitehead testified that on January 25 he had shown Dr Aggett his statement and told him to take his time in adding to it.

Dr Aggett had then allegedly spent the next three days changing the statement.

Lieutenant Whitehead said he had studied the changes and compared them with other information. He had then told Dr Aggett he was still not telling the whole truth.

He said that later he and several other security policemen had interrogated Dr Aggett until nearly midnight and Dr Aggett had wanted to continue the questioning.

(Proceeding)




Mr John Aggett, father of Dr Neil Aggett, with his wife Joyce outside the court where their son's inquest is being held.

## 115 fraud counts admitted

A prisoner serving three years was yesterday sentenced by a Johannesburg magistrate to another five years for 115 counts of fraud.

Gerhardus Cornelius Gey van Pittius (30), an engineer, pleaded guilty to fraud.

He admitted photo-copying identity documents and using them to open savings and transmission accounts under false names into which deposited.

He also admitted withdrawing R15 712 from the accounts.

Van Pittius, who is serving a three-year term for a fraud committed in Bloemfontein, admitted two other convictions for fraud and bilking. A two-year suspended sentence may also come into operation.

The 115 counts of fraud, committed in 1979, were taken together for sentence by Mr J J Esterhuizen. Another nine counts were withdrawn.

# Interrogator denies any conspiracy over Aggett

ARGUS 7/10/82

329

Argus Correspondent

JOHANNESBURG. — The chief interrogator of Dr Neil Aggett denied in the regional court here today that there was a security police conspiracy to keep quiet about the trade unionist's allegations that he was assaulted in detention.

Lieutenant Steven Peter Whitehead was giving evidence at the inquest on Dr Aggett, who died in detention on February 5.

Lieutenant Whitehead said he did not know why he excluded from his affidavit for the inquest Dr Aggett's complaints about being assaulted.

**NO MENTION**

He said he made an affidavit denying the complaints when the police investigated them.

Mr George Bizos, SC, for the Aggett family, told the court that none of the affidavits prepared for the inquest mentioned Dr Aggett's complaints.

Referring to Dr Aggett's allegations that Lieutenant Whitehead and other policemen put a towel around his head and electrically shocked him, Mr Bizos said: "I have avoided using the emotive word torture but if the allegations were true, this is what it was.

"If Dr Aggett was prepared under oath to say he was electrically shocked, this was an important point about his state of mind.

"He was either becoming deliberately untruthful or suffering from delusions."

Lieutenant Whitehead said he was shocked when he heard that Dr Aggett was found hanged. He assumed Dr Aggett had committed suicide.

Mr Bizos put the following factors to Lieutenant Whitehead which he said might have caused Dr Aggett to commit suicide, according to Lieutenant Whitehead's evidence:

- Dr Aggett allegedly overhead a telex being sent by the police which might have led to people, allegedly named by Dr Aggett, being arrested.
- Dr Aggett allegedly wrote four pages of notes which the security police had refused to disclose to the court.
- Dr Aggett allegedly feared being prosecuted.

**PRIVILEGED**

Lieutenant Whitehead said he did not include these facts in his affidavit because they were privileged information.

Mr Bizos: What is so privileged about a man being fearful of prosecution?

Lieutenant Whitehead: It is not privileged.

(Proceeding).

# Inquest has cost Aggetts R55 000

**By Joe Openshaw**

Neil Aggett's father, Mr John Aubrey Edward Aggett, has already spent R55 000 on attending and being legally represented at his son's inquest.

The money has gone on legal fees, employing senior and junior counsel, and air fares between the Aggett home in Somerset West and Johannesburg. Three adjournments have multiplied travel costs.

"I am prepared to spend considerably more if need be if I can ensure that my son's death has not been in vain," says Mr Aggett.

**WARRANTED**

"We have lost Neil. This loss and the legal cost will have been warranted if the laws relating to detention are changed.

"We hope that in future people who find themselves in the position Neil was in will be judged and sentenced by those appointed to the task — magistrates and judges."

Mr Aggett, his wife, Joyce, and their daughter, Mrs Jill Burger, have attended court on the 30 hearing days since the inquest started on April 1.

● See Pages 7 and 25.

# Ciskei police to investigate assault claim

EAST LONDON — The Commander-in-Chief of State Security in Ciskei, Lieutenant-General Charles Sebe, yesterday promised to investigate allegations of police assault on suspects at Mdantsane.

He was reacting to claims by an Mdantsane man, Mr M. Blom, who said he had written a letter to the Ciskei Commissioner of Police towards the end of last year in connection with the alleged assaults.

Mr Blom said although he had sent the letter by registered mail he had not received a reply.

General Sebe asked Mr Blom to see him so he could have the matter investigated, after a complaint and a statement had been made.

"My government does not justify assault on the public by police but until a complaint has been made we cannot take any action," he said.

Mr Blom quoted several incidents of alleged assault on him and members of his family.

A Daily Dispatch reporter, Leslie Xinwa, reported that on September 11 he saw a youth being questioned by police. A policeman struck the youth once on the side of his head, he said.

The allegations were referred to the commissioner of Police, Colonel L. B. Madolo, who promised to investigate but later referred inquiries to General Sebe. — DDR

SOWETAN, Thursday, October 7, 1982

# NO 'MEDICAL AID' FOR DETAINEE, COURT TOLD

**A PRISON major is alleged to have refused an "assaulted" prisoner pain-killing tablets, the Kempton Park Regional Court was told yesterday.**

By CHARLES MOGALE

Convict Petrus Nkala made the allegation before the court where four people are facing charges under the Terrorism Act. The four are: Mr Stanley Radebe, Mr Ephraim Madalane, Mr Ernest Mohakalane, and Miss Innocentia Mazibuko. All have pleaded not guilty.

Six convicts at the Groenpunt Prison in the Free State told the court of hearing Mr Radebe screaming, and seeing his blood-stained shirt, and his head swollen.

Nkala said his cell had been opposite Mr Radebe's in the isolation block in March. One morning he had seen Mr Radebe being brought to his cell by a warder. His clothes had been full of blood stains and his head had been swollen.

The following day, he said, the head of the prison, a Major Boshoff, had walked past the cells and Mr Radebe had called out to him.

"Stanley told him something about pain tablets but the major just walked away. He did not call a warder to take him to hospital or do anything about it. I then thought he had refused," Nkala said.

The investigating officer, Warrant Officer Leon van Loggerenberg, denied that Mr Radebe had been assaulted. He said he had gone to interview Mr Radabe on March 8 at Groenpunt, where he had been serving a prison sentence. During the interview, which had been held in an office, Mr Radebe had denied knowledge of hand-grenades and documents found at his home in Soweto, but had said he knew about the South African Youth Revolutionary Council (Sayrco).

Warrant Officer van Loggerenberg said he had not seen Mr Radebe until March 11 as he had been attending the Khotso Seathlolo trial in Vanderbijlpark.

On three later occasions, he said, he had spoken to Mr Radebe over the telephone in connection with the case — on the first occasion from Cape Town, on the second from Newcastle, and on the third from Soweto.

On the third occasion, Warrant Officer van Loggerenberg said, he had been told by Major Boshoff that Mr Radebe had asked to speak to him.

Proceeding

# Sympathy with ANC is 'offence'

Cape Times 5/4/82

**Own Correspondent**

JOHANNESBURG. — The security police considered sympathisers of the banned African National Congress to be ANC members, it was stated in the Johannesburg Regional Court yesterday.

Giving evidence at the inquest on trade union leader Dr Neil Aggett, who died in detention on February 5, Lieutenant Steven Peter Whitehead said there were three kinds of ANC members — full card-carrying members, active supporters and sympathisers.

Dr Aggett repeatedly denied being a full member, but he was something between a sympathizer and an active supporter, the witness said.

The inquest also heard yesterday that Dr Neil Aggett's admission that he was a communist was written in language he would not usually use and in a way that "demonstrated its falsehood".

## 'Invited disbelief'

In an affidavit read to the court, Dr Tom Lodge, political scientist at the University of the Witwatersrand, said parts of Dr Aggett's crucial final statement were contradictory, "making nonsense" of other parts, and were expressed in a way that "invited disbelief".

Questioning Lieutenant Whitehead, Mr George Bizos SC, who is representing the Aggett family, asked whether the policeman considered an ANC sympathiser to be "a person who requires security police attention because his sympathy is *prima facie* evidence of an offence".

Lieutenant Whitehead answered "yes", but added that further information had led to Dr Aggett's detention.

When Mr Bizos asked where the Internal Security Act stated that a sympathiser was guilty of an offence, Lieutenant Whitehead said this was not contained in the Act, but the issue should be seen in a wider context.

The lieutenant told of a meeting Dr Aggett had attended to discuss fighting for the South African Defence Force. The meeting had been chaired by Mr Gavin Anderson, whom Dr Aggett knew to be an ANC member, Lieutenant Whitehead said. This showed where Dr Aggett's sympathies lay.

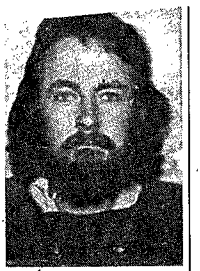
## 'Idealist'

He added that Dr Aggett had avoided doing his military service.

"Do you believe that if someone does something which the ANC also wants done, it is an offence?" Mr Bizos asked.

"Yes, if they are working with an ANC member," the policeman answered.

In his affidavit, Dr Lodge pointed to the fresh admissions Dr Aggett had made when he wrote: "I am a supporter of the Marxist ideology and therefore also a communist. I am also an idealist... When I began working in the union, I had communistic tendencies."



Dr Neil Aggett

Dr Lodge said this invited disbelief because these cryptic statements were inconsistent with the rest of the statement.

He also said a communist would never refer to Marxism as an ideology, and could not also describe himself as an idealist.

## Mr Bizos warned

"My conclusion is that Dr Aggett, for reasons unknown to me, allowed these references to be included, but in terminology that he would not naturally employ and with a qualification concerning idealism to demonstrate their falsehood."

During his five-hour spell in the witness box, Lieutenant Whitehead continually faced the magistrate and not Mr Bizos. The advocate was repeatedly warned by the inquest magistrate, Mr Petrus Kotze, for the way in which he questioned the witness.

His sternest warning came when Mr Bizos told Lieutenant Whitehead: "You have been in the witness box for three-and-a-half hours. Dr Aggett was questioned for 62 hours. You have a long way to go."

Mr Bizos asked Lieutenant Whitehead why his affidavit had made no mention of Dr Aggett deciding to "open up his heart", as a number of other policemen had testified. "On the contrary you use a number of phrases which mean precisely the opposite. Is this consistent with the evidence?".

## 'Game is up'

The policeman said he had gone to Dr Aggett's cell on January 28 and told him "the game was now up and he must tell the full truth". Dr Aggett had agreed to co-operate and undergo "more intensive questioning" immediately.

Mr Bizos said Dr Aggett had made it clear in his statements that he was committed to democracy and trade unionism and was opposed to infiltration of the unions, as this was contradictory to union democracy.

Lieutenant Whitehead replied that he had watched Dr Aggett for more than three years and had other information implicating him. Dr Aggett was a Marxist and had worked to further the aims of banned organizations, he added.

The inquest continues today.

OBERT

ARGUS 8/10/82

# Bribe offer to Aggett maid — police

Argus Correspondent

JOHANNESBURG. — Dr Neil Aggett's parents' maid was bribed and threatened with jail before giving security police information five weeks after he died.

Lieutenant Steven Peter Whitehead gave this evidence today at the inquest on Dr Aggett who died in detention in February.

He said that on March 3 he and a Sergeant Erasmus went to Cape Town from Johannesburg. Lieutenant Whitehead said that on March 15 he had information that a Mr Gavin Anderson, who was wanted by the security police, was at Dr Aggett's parents' home in Somerset West.

**RECORDED**

He said Sergeant Erasmus went alone to the house and secretly recorded his conversation with the Aggett's maid, Mrs Sarah Isaacs.

Mr George Bizos SC, for the Aggett family, said he had a transcript of the recording and it showed Sergeant Erasmus had offered money to Mrs Isaacs for information and said she and her husband would be jailed if she spoke about the conversation.

Lieutenant Whitehead said offering money for information was sometimes necessary in his work.

He said he did not order Sergeant Erasmus to bribe or threaten Mrs Isaacs.

**PURPOSE**

Lieutenant Whitehead said the main purpose of visiting the Aggett's house was to look for Mr Anderson.

He said he did not know the Aggetts would be visiting Johannesburg at the time.

Lieutenant Whitehead admitted that after the local police received a complaint about Sergeant Erasmus's visit he visited the Aggett's house and lied to the house-sitter that he was from the local security police. Lieutenant Whitehead said he felt bad about what happened.

Mr Bizos: This was another occasion which showed you had no respect for legality?

Lieutenant Whithead: I deny it.

(Proceeding.)

## Policeman 'threatened jail' in bid to silence inform

Star 8/10/82

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By Stuart Flitton

The maid of Dr Neil Aggett's parents was threatened with jail and bribed to give Security Police information five weeks after the trade unionist died.

Lieutenant Steven Peter Whitehead gave this evidence today at the inquest on Dr Aggett who died in detention in February.

He said that on March 3 he and a Sergeant Erasmus had gone to Cape Town from Johannesburg. Lieutenant Whitehead said that on March 15 he had information that a Mr Gavin Anderson, who was wanted by the Security Police, was at Dr Aggett's parents' home in Somerset West.

He said Sergeant Erasmus had gone alone to the house and had secretly recorded his conversation with the Aggett's maid, Mrs Sarah Isaacs.

Mr George Bizos SC, for the Aggett family, said he had a transcript of the recording which showed Sergeant Erasmus had offered money to Mrs Isaacs for information. He had also said she and her husband would be jailed if she spoke about the conversation.

Lieutenant Whitehead said offering money for information was sometimes necessary in his work.

He said he had not ordered Sergeant Erasmus to bribe or threaten Mrs Isaacs.

Lieutenant Whitehead said the main purpose of visiting the Aggett house was to look for Mr Anderson. He said he had not known the Aggetts would be in Johannesburg at the time.

Mr Bizos: Are you seriously suggesting that Mr and Mrs Aggett in their grief would have harboured a fugitive from justice?

Lieutenant Whitehead: I don't know.

Mr Bizos: Did you know that, whatever the views of Dr Aggett, they were not shared by his parents?

Lieutenant Whitehead: That is so.

Mr Bizos: Did you believe that the Aggetts would have harboured Mr Anderson under those circumstances?

Lieutenant Whitehead: I have given my answer — that we had heard he was there.

Mr Bizos: I am going to say that after the Aggetts complained about the intrusion you made up this Gavin Anderson story to justify your unlawful conduct.

Lieutenant Whitehead: I deny it.

Lieutenant Whitehead admitted that, after the local police had received a complaint about Sergeant Erasmus's visit he had visited the Aggetts' house and had lied to the house-sitter that he was from the local Security Police.

Lieutenant Whitehead said he felt bad about what had happened.

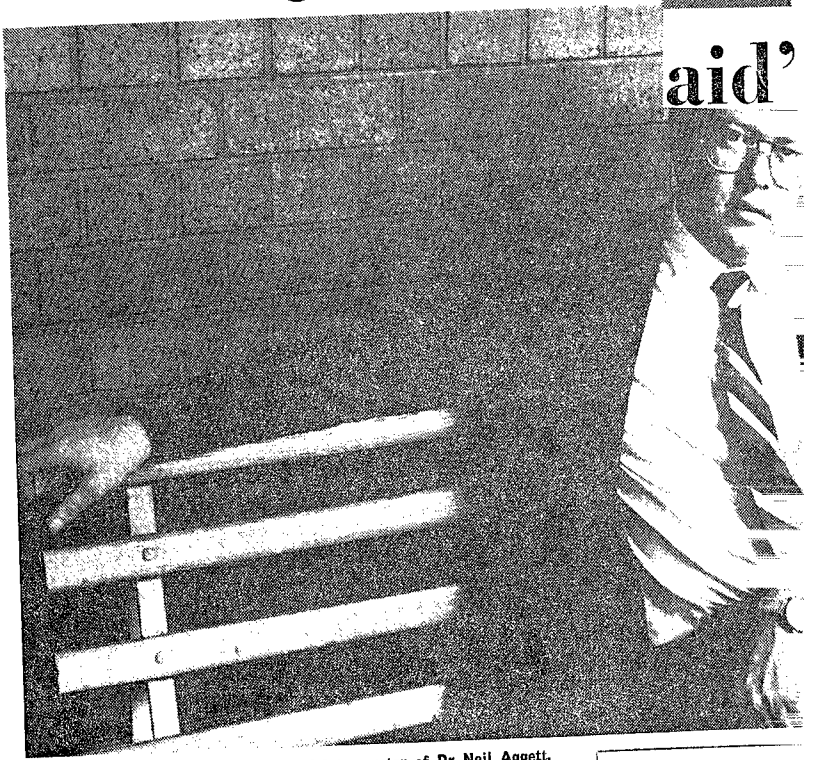
Mr Bizos: This was another occasion which showed you had no respect for legality.

Lieutenant Whitehead: I deny it.

Mr Bizos yesterday submitted that a statement in which Dr Neil Aggett allegedly admitted being a communist was the work of his chief interrogator.

He said Dr Aggett's second statement in detention started like the first one but then the pattern changed.

(Proceeding)



Lieutenant Steven Whitehead, chief interrogator of Dr Neil Aggett.

LABOUR MATTERS

# Seeking uniformity

FM 8/10/82 (#6) 329

If one accepts that industrial relations are essentially a tripartite relationship between government, employers and trade unions, the managements of companies operating close to the independent homelands deserve sympathy. Some have to contend with the conflicting labour policies of three different governments.

It seems, however, that Pretoria is aware of the problems they face and has had discussions with the independent homelands in an effort to find common ground over basic labour issues.

The problems arising from the differing labour policies are felt especially by employers in the eastern Cape. They have to reckon with the anti-union stance of the Ciskei and Transkei governments, who perceive emerging unions as a threat to their authority. Tough crackdowns on trade unionists — the Ciskei detained hundreds of union members last year — have soured labour relations in some factories.

Respected labour academic Professor Blackie Swart, of the University of Stellenbosch, has pointed out for some time that a co-ordinated labour policy is an essential component of government development plans. These plans are based on the acknowledgement that SA and the homelands operate within a single economic system. He believes it is vital that there should be agreement among SA and the independent homelands on certain broad principles.

Department of Manpower sources confirm that high-level discussions on labour matters have been taking place with the independent homelands. They say it has been possible to find common ground on issues such as the provision of social security benefits and co-ordinating and standardising tax incentives for training.

However, it seems as if resolution of more difficult matters, such as a more uniform approach towards trade unionism, will take much longer to achieve. "We cannot prescribe to them what they should do," says a senior official in the department.

There are indications that Bophuthatswana will soon adopt legislation which, in many respects, is very similar to SA's Industrial Relations Act. A senior Bophuthatswana government official told the *FM* this week that a draft Bill has already been compiled. There are hopes that the Bill will go before the territory's Parliament when it meets for a short session before the end of the year.

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POSTPONED: Koornhof.

# SB deny plot over Aggett 'assault'

**THE chief interrogator of Dr Neil Aggett denied in the Johannesburg Regional Court yesterday that there had been a Security Police conspiracy to keep quiet about Dr Aggett's allegations that he had been assaulted in detention.**

Lieutenant Steven Peter Whitehead was giving evidence at the inquest into the death in detention of the trade unionist on February 5 this year.

Lieutenant Whitehead said he did not know why he had excluded from his affidavit for the inquest Dr Aggett's complaints about being assaulted.

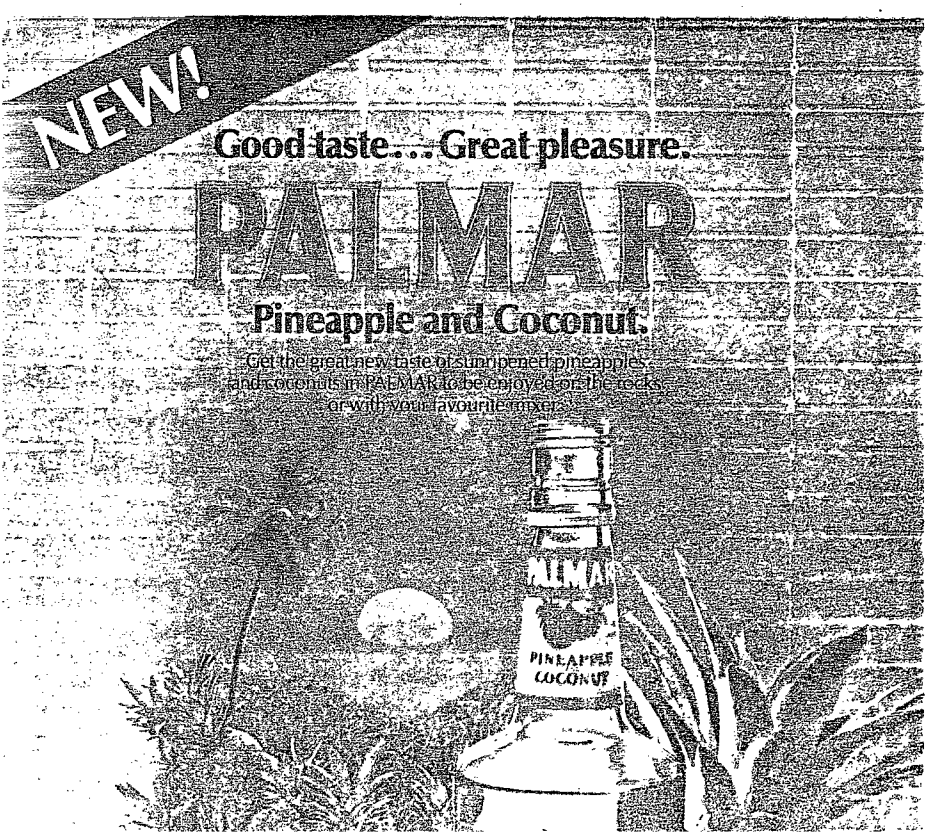
Mr George Bizos SC, for the Aggett family, told the court that none of the affidavits prepared from the inquest mentioned Dr Aggett's complaints.

Referring to Dr Aggett's allegations that Lieutenant Whitehead and other policemen had put a towel around his head and electrically shocked him, Mr Bizos said: "I have avoided using the emotive word torture but if the allegations were true this is what it was."

Mr Bizos put the following factors to Lieutenant Whitehead, which he said might have caused Dr Aggett to commit suicide according to Lieutenant Whitehead's evidence:

- Dr Aggett allegedly overheard a telex being sent by the police that might have led to people who were allegedly named by Dr Aggett being arrested.
- Dr Aggett allegedly wrote four pages of notes that the Security Police had refused to reveal to court.
- Dr Aggett allegedly feared prosecution.

Lieutenant Whitehead said he had not included these facts in his affidavit because they were privileged information.



## AGGETT INQUEST

(329) RDM 8/10/82

# Aggett 'an ANC sympathiser'

By ANTON HARBER

THE Security Police consider an ANC sympathiser to be the same as an ANC member, the Johannesburg Regional Court heard yesterday.

Giving evidence at the inquest into the death in detention of trade union leader Dr Neil Aggett, Lieutenant Steven Peter Whitehead told the court there were three kinds of ANC members — full, card-carrying members, active supporters and sympathisers.

Dr Aggett repeatedly denied being a full member, but he was something between a sympathiser and an active supporter, Lt Whitehead said.

"Do you consider an ANC sympathiser as a person who requires Security Police attention because his sympathy is prima facie evidence of an offence?" Mr George Bizos, SC, for the Aggett family asked.

Lt Whitehead answered in the affirmative, but added he had had further information on Dr Aggett that led to his detention.

When Mr Bizos asked where in the Internal Security Act it says that a sympathiser is guilty of an offence, Lt Whitehead said it was not in the law but should be seen in a wider context.

Lt Whitehead told of a meeting Dr Aggett had attended to discuss fighting for the South African Defence Force. The meeting had been chaired by Mr Gavin Anderson, whom Dr Aggett knew to be an ANC member, Lt

Whitehead said, and this showed where his sympathies lay.

He added that Dr Aggett had avoided doing his military service.

"Do you believe that if someone does something which the ANC also wants done, it is an offence?" Mr Bizos said.

"Yes, if they are working with an ANC member," the policeman answered.

During his five-hour spell in the witness box Lt Whitehead continually faced the magistrate, conspicuously attempting not to look at Mr Bizos. Mr Bizos was repeatedly warned by the magistrate, Mr Petrus Koze, for his manner of cross-examination.

His sternest warning came when Mr Bizos told Lt Whitehead: "You have been in the witness box for three-and-a-half hours. Dr Aggett was questioned for 62 hours. You have a long way to go."

Mr Bizos asked Lt Whitehead why his affidavit had made no mention of Dr Aggett deciding to "open up his heart" as a number of other policemen had testified.

Lt Whitehead said he had gone to Dr Aggett's cell on January 28 and told him "the game was now up and he must tell the full truth". Dr Aggett had agreed to co-operate and undergo "more intensive questioning" immediately, he told the court. This was why Dr Aggett had spent the weekend in an interrogation room.

Lt Whitehead explained that "more intensive" questioning meant he was asking more pertinent questions, pinpointing areas in Dr Aggett's statement that he was not satisfied with.

His statements that Dr Aggett had made it clear in his statements that he was committed to democracy and trade unionism and was opposed to infiltration of the unions since this was contradictory to democracy in the union, Mr Bizos said.

Lt Whitehead replied that he had watched Dr Aggett for over three years and had other information that had implicated him. Dr Aggett was a Marxist and had worked to further the aims of banned organisations, he added.

Mr Bizos will continue the cross-examination of Lt Whitehead at 9am this morning.

(Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Messrs Lane, Bell, Dewar and Hall, appears for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Hansbrook, assisted by Mr Andre De Vries, leads the evidence).

## SP detail secret search of family home

# Aggett inquest told of police bribery

9/10/87 (329) RDM

By ANTON HARBER

SECURITY Police sometimes find it necessary to use bribery in their work, the Johannesburg Regional Court heard yesterday.

Lieutenant Steven Peter Whitehead said this yesterday after admitting a colleague of his had pretended to be a private detective and offered a bribe to a servant in order to enter and search the house of Dr Neil Aggett's parents.

Lt Whitehead was being cross-examined by Mr George Bizos, SC, for the Aggett family during the inquest into Dr Aggett's death in detention.

He also admitted his colleague, Sergeant P Erasmus, had told the servant she would go to jail if she told anyone about the incident.

Lt Whitehead said that in March — six weeks after Dr Aggett's death — he and Sgt Erasmus had gone to the Somerset West house after being told that Mr Gavin Anderson, who he named as a suspected ANC member, was hiding there.

"I suggest that after Mr and Mrs Aggett appointed an attorney to investigate this invasion of their privacy, you made up this story about Gavin Anderson," Mr Bizos said.

Lt Whitehead denied this. Lt Whitehead, 25, who was in charge of much of Dr Aggett's interrogation, was accused of assault in a formal complaint by the detainee before his death.

He told the court he and Sgt Erasmus had gone to the Aggetts' house after being told Mr Anderson was there. He had waited in a restaurant some distance from the house while Sgt Erasmus had spoken to the maid, Miss Sandra Isaacs.

**Lt Steven Whitehead yesterday told the Aggett inquest of an attempt to bribe a servant.**

Picture: DAVID VAN GUR

Lt Whitehead admitted Sgt Erasmus had told Miss Isaacs he was a private detective collecting information on Dr Aggett for a book a friend of his was writing.

He had offered Miss Isaacs a bribe and told her they would both go to jail if she told anyone about it, the court heard.

Sgt Erasmus then searched the house, rifling cupboards and desks and looking through papers.

While he was searching the house a neighbour was informed. He called the police and interrupted the search.

Lt Whitehead told the court he had had a warrant for the arrest of Mr Gavin Anderson, but it was in Johannesburg at the time.

Mr Bizos suggested the Security Policemen had been asked by their lawyers to gather information for a psychological report on Dr Aggett and had searched the house for information on this.

He said in the transcript of the policemen's recording of the conversation with the maid there was no mention of Mr Gavin Anderson or any inquiries about who was staying in the house.

Lt Whitehead said they were not searching for information on Dr Aggett, but such information was important to them. Sgt Erasmus may have asked questions or seen something relating to Dr Aggett while he was searching, he added.

Asked why it was necessary to search cupboards and desks, Lt Whitehead said they were looking for signs of Mr Gavin Anderson's presence.

"Are you suggesting that Mr and Mrs Aggett, in their grief soon after their son's death, would harbour a fugitive?" Mr Bizos asked.

Lt Whitehead said he had been given information and it was his duty to act on it.

He added that Brigadier Hennie Muller, head of the John Vorster Square Security Police, had known about the incident.

The head of the investigation team, Major Arthur Cronwright, told the court during his evidence he knew nothing about it.

"I am going to argue that this is yet another occasion that you showed you had no respect whatsoever for legality," Mr Bizos said. Lt Whitehead denied this.

Mr Pieter Schabort, SC, for the Minister of Law and Order, distanced himself from the incident. He put on record that it had nothing to do with the police's legal representatives and was strictly a police action.

Cross-examination of Lt Whitehead will continue on Monday morning.

# 'No special shifts to question Aggett

(329)

9/10/87

Star

By Stuart Flitton

Dr Neil Aggett's chief interrogator told the Johannesburg Regional Court yesterday it was chance that led four groups of security policemen to interrogate the trade unionist the weekend before he died.

Lieutenant Steven Peter Whitehead was giving evidence at the inquest on Dr Aggett who died in detention in February this year.

He said there were no special shifts to interrogate Dr Aggett that weekend.

Security police witnesses have maintained that Dr Aggett slept on a camp bed in a 10th floor John Vorster Square office during the 62-hour period.

Mr George Bizos, SC, for the Aggett family, had alleged Dr Aggett was kept awake the whole time.

Lieutenant Whitehead said Dr Liz Floyd, Dr Aggett's girlfriend, had become angry at being asked the same questions repeatedly, but Dr Aggett never became angry.

He denied he sent anybody to tell Dr Floyd she would be interrogated by policemen in shifts on the weekend February 5 to 7.

Mr Bizos; It appears that whatever was contained in the four pages (of notes allegedly written by Dr Aggett under interrogation) was not being incorporated into the (Dr Aggett's second) statement.

Lieutenant Whitehead: Two facts were incorporated. Dr Aggett committed suicide before the other information could be included.

Mr Bizos: The fact that they were not incorporated means there was no information on the four pages, or if there was, Dr Aggett was not prepared to incorporate it from the Monday (February 1) to the Thursday (February 4), when he was not interrogated as intensively as before.

Lieutenant Whitehead denied Dr Floyd's allegation that on February 4, when another security policeman made her stand during interrogation, he said to her: "We will see what you will be like if you have to stand until Saturday (February 6)."

He told the court earlier that on February 4 Dr Aggett overheard a telex being sent, which might have led to the arrest of people named by him.

The hearing continues Monday.

# Court told of bid to bribe Aggett servant

CAPE Times 9/10/82 (329)

**Own Correspondent**

JOHANNESBURG. — Security police sometimes find it necessary to use bribery, the Johannesburg Regional Court heard yesterday.

Lieutenant Steven Peter Whitehead said this yesterday after admitting that a colleague of his had pretended to be a private detective and had offered a bribe to a servant in order to gain entry to the house of Dr Neil Aggett's parents.

Lieutenant Whitehead was being cross-examined by Mr George Bizos, SC, for the Aggett family, during the inquest on Dr Aggett.

He also admitted that his colleague, Sergeant P Erasmus, had threatened the servant with a jail sentence if she told anyone about the incident.

Lieutenant Whitehead said that in March — six weeks after Dr Aggett's death — he and Sergeant Erasmus had gone to the Somerset West house after being told that Mr Gavin Anderson, whom he named as a suspected ANC member, was hiding there.

"I suggest that after Mr and Mrs Aggett appointed an attorney to investigate this invasion of their privacy, you made up this story about Gavin Anderson," Mr Bizos said.

Lieutenant Whitehead denied this.

He said he had waited in a restaurant about two kilometres from the house, while Sergeant Erasmus had spoken to the servant, Miss Sandra Isaacs.

Mr Bizos produced a transcript of the conversation, which had been recorded by the two security policemen.

Miss Isaacs had told her husband to alert the neighbour, Mr William Anderson (no relation), who had phoned the police and interrupted Sergeant Erasmus while he was conducting his search.

Lieutenant Whitehead told the court he had had a warrant for the arrest of Mr Gavin Anderson but it had been in Johannesburg at the time.

Mr Bizos suggested that the security policeman had been asked by their lawyers to gather information for a psychological report on Dr Aggett and had searched the house for information.

He pointed out that in the transcript there was no mention of Mr Gavin Anderson or any inquiries about who was staying in the house.

Cross-examination of Lieutenant Whitehead will continue on Monday morning.

SUNDAY TRIBUNE, OCTOBER 10, 1982

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# THE INTERROGATOR

## Aggett inquest told of threats, bribe by main probe cop

**I E.UTENANT even- Peter hitehead, chief terrogator of Neil Aggett, e trade union- who died in tention in Feb- ary, looks like chubby school- y but after ree days of oss - examina- n this week a ture emerged a very ambi- us and deter- ned policeman.**

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By CHARLENE BELTRAMO

policeman, considered a key witness in unravelling the last few hours and days of Dr Aggett's life, testified to the inquest magistrate, Mr Petrus Kotze, with his back to the court.

He spoke in a barely audible tone in Afrikaans, as all security policemen have chosen to do throughout the inquest, despite the fact that Mr and Mrs Aubrey Aggett, immigrant parents of the trade unionist, understand little of the language.

After three days of intensive cross examination by Mr George Bizos, counsel for the Aggett family, the following facts about Dr Aggett's interrogation and Lieutenant Whitehead emerged.

• Six weeks after Dr Aggett died, and while his griefstricken parents were in Johannesburg briefing counsel, Lieutenant Whitehead and Sergeant P. Erasmus travelled to their home in Somerset West and attempted to bribe the Aggett's servant before threatening her and rifling through the elderly couple's cupboards and drawers.

• Mr Bizos put it to Lieutenant Whitehead that a statement in which Dr Aggett allegedly admitted he was a communist was the work of Lieutenant Whitehead.

• Lieutenant Whitehead claimed Dr Aggett had not been forced to spend more than 110 hours rewriting a statement, which had a few minor changes to the original version, and which detailed the trade unionist's entire life history and that of his family.

• He denied putting a towel around Dr Aggett's head, with other policemen, and administering electric shocks to the detainee.

• He claimed when told of Dr Aggett's statement alleging torture implicating himself that he went to Dr Aggett and said: "Is this what you do to people who are good to you?"

• He said that one 62-hour stretch of interrogation was by Dr Aggett's own choice. Lieutenant Whitehead said Dr Aggett knew "the game was up" and agreed to the lengthy interrogation to "get it over and done with."

Dr Aggett was found hanging in his cell a few days later.

The 25-year-old security policemen, who spent three years observing Dr Aggett's movements, was also the second security police officer to claim that, in Security Branch eyes, African National Congress sympathisers were viewed in the same light as full members.

Captain Martin Naude, an East London security policeman, who headed the interrogation team questioning Dr Aggett, made the same claim the previous week.

Lieutenant Whithead said there were three kinds of ANC members — full card-carrying members, active supporters and sympathisers.

Dr Aggett repeatedly denied being a full member, but he was something between a sympathiser and active supporter, Lieutenant Whitehead said.

Mr Bizos asked whether ANC sympathisers also received security police attention because such "sympathy was considered prima facie evidence of an offence?"

Lieutenant Whithead said this was correct and that although the Internal Security Act did not say that a sympathiser was guilty of an offence, it should be seen in a wider context.

Lieutenant Whitehead told the court that the Aggett home was searched because the security police had heard that Mr Gavin Anderson, who was wanted by them, was there. He could not explain why they had ransacked drawers and cupboards in their search.

Regarding the statement allegedly written by Dr Aggett, Mr Bizos read from a statement by political scientist Mr Tom Lodge that the wording was inconsistent with Dr Aggett's personality and displayed naivete about Marxism.

The words "I am also an idealist" contradicted another sentence that said "I support Marxist ideology and am therefore a communist."

Mr Lodge said a communist would not describe Marxism as an ideology.

He also questioned the use of the word "communistic" elsewhere in the statement.

Lieutenant Steven Whitehead — schoolboy looks but a ver determined policeman

# THE CONTROLLER

TIMES, October 10 1982

By BRUCE LOUDON

**HE'S young, with boyish good looks. He's smartly dressed in a black suit and what look like Gucci shoes. He peers through fashionable teardrop glasses.**

He's dubbed the "Controller" and as he testifies in the oak-panelled witness box of Court 18 at the Johannesburg magistrate's Court, a classic legal duel is enacted.

## He was in charge of Neil Aggett up to his death

The "Controller" is Lieutenant Steven Peter Whitehead, a member of the Security Branch of the SAP and the officer in charge of the late Dr Neil Aggett from just before Christmas last year until February 5 when the doctor turned trade unionist was found dead in his cell at John Vorster Square.

The lieutenant is in the dock to tell the inquest court his version of what happened to Dr Aggett.

And a measure of the interest that attaches to him is immediately apparent: for days previously, the public gallery is occupied by only a handful of spectators. Now it is crowded, mostly with young, gaudily dressed students and trade unionists, black and white sitting side by side.

### Tragedy

Old Mr and Mrs Aubrey Aggett, the still-grieving parents of Dr Aggett, were due to return to their home in Somerset West. They postponed their departure. For they, too, want to hear Lt Whitehead.

Now they sit in the well of the court listening intently to his evidence, the tragedy of the loss they still feel written large upon their faces.

Examining the young lieutenant is that veteran of so many political trials, Mr George Bizos, SC, who represents the Aggett family at the inquest. He asks his questions in richly accented tones.

The lieutenant looms above him in the witness box. And as the examination goes on, the feelings between the "Controller" and the veteran advocate become apparent.

Lt Whitehead stands in the witness box with his back almost constantly turned on Mr Bizos. He listens to the barrister's questions, but never once looks at him. Instead, he, stares straight ahead, looking at the national coat of arms above the magistrate, Mr Petrus Kotze, and his assessor, Professor L S Smith.

### Tempers

It is Mr Bizos who refers to him as the "Controller".

Time and again he prefaces his answers to Mr Bizos's repeated questions by saying: "As I have already told the court". Never once, in his answers, does he refer to "Mr Bizos"; always, it is just "the advocate". And when Mr Bizos seeks to interrupt his answers, the lieutenant ignores him by saying: "If the advocate will just let me finish speaking . . ."

Tempers become frayed.

Mr Bizos is asking Lt Whitehead about his interrogation of Dr Aggett, and the assertion that at one point during his detention Dr Aggett was held in an interrogation room on the 10th floor of John Vorster Square for an unbroken period of 62 hours.

Lt Whitehead says he knows what it's like to be asked the same question over and over agian.

Mr Bizos raises his voice: "You have been in the witness box for only three-and-a-half hours: Dr Aggett was questioned for 62 hours. You have a long way to go, lieutenant."

The magistrate intervenes. "That is no way for you to cross-examine, Mr Bizos. I cannot allow that."

Mr Bizos protests: "Yes, Your Worship. I shall not continue with that. But it is not

Mr GEORGE BIZOS, SC

for the witness to comment on my cross-examination."

The magistrate: "Mr Bizos, I think I've said enough."

The "Controller" smiles.

Earlier, the magistrate had intervened twice to warn Mr Bizos not to ask the same question repeatedly.

At another point, Mr Pieter Schabort, SC, who is representing the Minister of Law and Order and the police at the inquest, rises to complain that Mr Bizos is being unduly "sarcastic" towards Lt Whitehead – this after Mr Bizos had referred to a "speech" he said Lt Whitehead was making as an answer to one of his questions.

Mr Kotze, looking down from the bench at a protesting Mr Bizos, said quietly: "Mr Bizos, two wrongs dc not make a right."

At another stage Mr Bizos said loudly to Lt Whitehead: "Please read (that statement) in the language of Dr Aggett."

The magistrate again intervened and said sharply: "Mr Bizos, this is not proper examination by Senior Counsel. I understand your feelings, but please try to control yourself."

Much of Mr Bizos's examination of Lt Whitehead concerned statements and notes allegedly written by Dr Aggett when he was in detention and under the "control" of the lieutenant.

In particular, Mr Bizos questioned him at length on an alleged confession by Dr Aggett that he was a communist, and also assertions that Dr Aggett was a member of the African National Congress.

In an affidavit read to the court by Mr Bizos, Dr Tom Lodge, an expert from the University of the Witwatersrand, said Dr Aggett's alleged admission that he was "a communist" was written in language he would not normally use and in that way "demonstrated its falsehood".

### Shock

Lt Whitehead said that under interrogation Dr Aggett repeatedly denied being a full member of the ANC. But the lieutenant said he had information which led him to believe that Dr Aggett was somewhere between a sympathiser and an active supporter. He said he had "watched" Dr Aggett for about three years.

Lt Whitehead said he was "shocked" when he heard early on the morning of February 5 that Dr Aggett had hanged himself in his cell.

He repeatedly denied the claim made by Dr Aggett in a statement before his death that, as Mr Bizos put it in court, "you put a towel around Dr Aggett's head and that you and your colleagues shocked him with electricity".

Referring to the fact that Lt Whitehead made no reference to this complaint in an affidavit he made soon after Dr Aggett's death, Mr Bizos charged that "there was a conspiracy of silence between you and your colleagues over Dr Aggett's

# Security officer 'ransacked' Aggetts' home

10/10/22

THERE was drama at the Aggett inquest on Friday morning when Mr George Bizos, SC, suddenly interrupted his cross-examination of Lieutenant Steven Whitehead.

He broke off to deal with a "cloak-and-dagger" entry by a Security Branch officer into the home of the late Dr Neil Aggett's elderly parents.

Mr and Mrs Aubrey Aggett, both in their 70s, were in court.

Mr Bizos said he raised the matter because the couple were shortly leaving to return to their home in Somerset West.

He asked Lt Whitehead whether on March 3 — less than a month after Dr Aggett's death — he and a Sergeant Erasmus had driven to Mr and Mrs Aggett's home when the couple were away in Johannesburg.

Lt Whitehead agreed.

He said they had made the journey to find out whether Mr Gavin Anderson, a political militant, was in the house.

The search was ordered, he said, by Brigadier Hennie Muller, head of the Security Branch in Johannesburg.

(In earlier evidence Major Arthur Cronwright, who was in overall charge of the Aggett investigation, denied any knowledge of the search.)

Lt Whitehead said he remained in a restaurant while Sgt Erasmus went to the house.

He told the sergeant to find out whether Anderson was there — and at the same time to keep an eye open for more information about Dr Aggett.

complaints".

Lt Whitehead: "No, that is wrong."

Lt Whitehead said that on the day before Dr Aggett's death he had found the trade unionist to be "quite normal".

He added that "I knew him so well that if there had been anything unusual about him I would have immediately known about it."

Mr Bizos said the fruit of Lt Whitehead's "unlawful conduct" in relation to Dr Aggett was a statement "which you forced him to write".

Lt Whitehead: "You don't know! One of the ways is by shocking him and threatening him!"

The inquest hearing continues tomorrow and seems likely to last several more weeks.

It is expected, however, that there will be an adjournment from October 13 until October 25.

## Threaten

Mr Bizos accused Sgt Erasmus of bribing and threatening the Aggett family servants to gain entry to the house, which was then ransacked.

"If you were looking for Anderson, why was it necessary to ransack the cupboards and everything else?"

Lt Whitehead said the search was the responsibility of Sgt Erasmus.

Mr Bizos: "Are you seriously suggesting that Mr and Mrs Aggett in their grief would have harboured a fugitive from justice?

"I suggest that you made up this story to justify your unlawful conduct."

From Mr Bizos's cross-examination of Lt Whitehead it emerged that the servants ran to a neighbour for help while the house was being ransacked.

## 'Duty officer'

The neighbour called the Somerset West police, who went to the house — accompanied by Lt Whitehead.

Lt Whitehead admitted that he introduced himself to the neighbour as the duty officer from the Security Branch at Somerset West.

Mr Bizos: "I suggest that this is yet another occurrence in which you showed you have no respect for legality."

Lt Whitehead: "I deny that."

Immediately after the cross-examination Mr Pieter Schabort, SC, representing the police and the Minister of Law and Order, told the magistrate he dissociated himself entirely from the incident at the Aggetts' home.

**Lieutenant St** ... **'shocked" when he heard early on the morning of February 5 that Dr Aggett had hanged himself in his cell** **Picture: JOHANN KUUS**

● Lieutenant Steven Whitehead ... nine hours in the witness box

INTERROGATING AGGETT'S INTERROGATOR

# Security Policeman in the firing line

**THE interrogator briefly became the interrogated when Lieutenant Steven Peter Whitehead stepped into the witness box in the Johannesburg Regional Court this week.**

Lt Whitehead, a plump, bespectacled Security Policeman, has emerged as a key figure at the inquest into the death in detention of trade unionist Dr Neil Aggett.

He was in charge of much of Dr Aggett's interrogation and has been referred to constantly in the five-week long inquest. In a formal complaint laid shortly before his death in February, Dr Aggett accused Lt Whitehead of torturing him.

Lt Whitehead spent nearly nine hours in the witness box this week, undergoing intensive cross-examination that often became a tense wrangle between him and Mr George Bizos, SC (for the Aggett family).

Sunday Express Reporter

Lt Whitehead is a 25-year-old who has been in the Security Police for six years. Based at John Vorster Square, he specialises in trade union and labour matters.

As a recipient of the 1981 Jimmy Kruger Study Award, he is currently doing a BA LLB by correspondence through the University of South Africa.

Tension between him and Mr Bizos ran high during the hearing and he conspicuously avoided looking at Mr Bizos during his long spell of cross-examination. He pointedly faced the magistrate throughout.

At one stage, Mr Bizos remarked: "You have been in the witness box for three-and-a-half hours. Dr Aggett was in for 62 hours. You have a long way to go."

The magistrate, Mr Petrus Kotze, interrupted repeatedly, both to reprimand Mr Bizos for his line of questioning — and to warn Lt Whitehead to answer questions put to him.

Much of the evidence revolved around four mystery pages of notes Dr Aggett wrote in the last few days of his life. While the Security Police have presented the court with the final statement Dr Aggett wrote in this period, they have claimed privilege on four pages.

Mr Pieter Schabort, SC, for the Minister of Law and Order, argued that the information revealed by Dr Aggett on the mystery pages was still crucial to the police investigation and could not be revealed.

Mr Bizos challenged this and questioned the validity of all the revelations Dr Aggett allegedly made in the few days before he was found hanged in his cell.

In his statement, Dr Aggett wrote: "I believe in the marxist ideology and am therefore a communist. I am also an idealist ... When I began to work for the union, I had communistic tendencies."

In an affidavit read to the court, University of the Witwatersrand political scientist Dr Tom Lodge argued that this was written in a

GETT'S INTERROGATOR

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In an affidavit read to the court, University of the Witwatersrand political scientist Dr Tom Lodge argued that this was written in a way that "demonstrated its falsehood".

Mr Bizos argued that any admissions made by Dr Aggett in those few days were made "because he had no choice".

Lt Whitehead has denied these allegations. He said he had gone to Dr Aggett's cell on January 29 and told him the game was over and that he must now tell the truth.

Aggett agreed to co-operate and write the full truth, Lt Whitehead told the court.

Lt Whitehead was adamant that Dr Aggett was there by choice and would have been returned to his cell had he asked.

The most heated moment came on Friday when Lt Whitehead admitted that a colleague of his had pretended to be a private detective and had offered a servant a bribe in a bid to enter and search the home of Dr Aggett's parents.

The inquest continues tomorrow.

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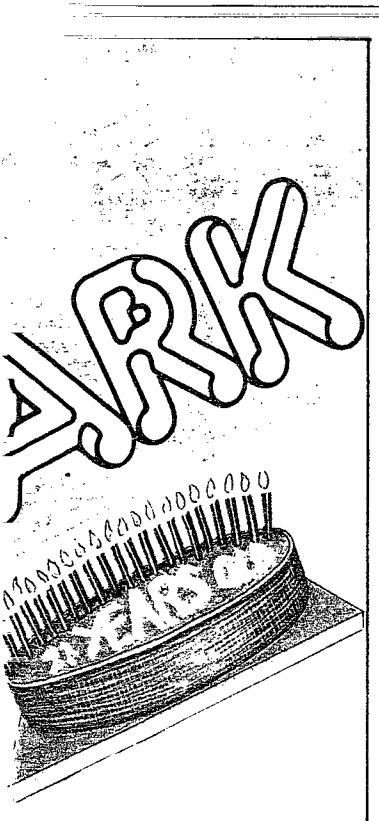


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## Court hears interrogater ransacked detainee's parents' home

Sowetan 11/10/82

# AGGETT'S JAILER

**LIEUTENANT Steven Peter Whitehead, chief interrogator of Dr Neil Aggett, the trade unionist who died in detention in February, looks like a chubby schoolboy but after three days of cross-examination this week a picture emerged of a very ambitious and determined policeman.**

The tall, muddy blonde security policeman, considered a key witness in unravelling the last few hours and days of Dr Aggett's life, testified to the inquest magistrate, Mr Petrus Kotze, with his back to the court.

He spoke in a barely audible tone in Afrikaans, as all security policemen have chosen to do throughout the inquest, despite the fact that Mr and Mrs Aubrey Aggett, immigrant parents of the trade unionist, understand little of the language.

After three days of intensive cross examination by Mr George Bizos, counsel for the Aggett family, the following facts about Dr Aggett's interrogation and Lieutenant Whitehead emerged.

- Six weeks after Dr Aggett died, and while his griefstricken parents were in Johannesburg briefing counsel, Lieutenant Whitehad and Sergeant P Erasmus travelled to their home in Somerset West and attempted to bribe the Aggett's servant before threatening her and riflin[illegible] throu[illegible] h the few minor changes to the original version, and which detailed the trade unionist's entire life history and that of his family.
- He denied putting a towel around Dr Aggett's head with other policemen, and administering electric shocks to the detainee.
- He claimed when told of Dr Aggett's statement alleging torture implicating himself that he went to Dr Aggett and said: "Is this what you do to people who are good to you?"
- He said that one 62-hour stretch of interrogation was by Dr Aggett's own choice. Lieutenant Whitehead said Dr Aggett knew "the game was up" and agreed to the lengthy interrogation to "get it over and done with"

Dr Aggett was found hanging in his cell a few

tion team questioning Dr Aggett, made the same claim the previous week.

Lieutenant Whitehead said there were three kinds of ANC members — full card-carrying members, active supporters and sympathisers.

Dr Aggett repeatedly denied being a full member, but he was something between a sympathiser and active supporter, Lieutenant Whitehead said.

Mr Bizos asked whether ANC sympathisers also received security police attention because such "sympathy was considered prima facie evidence of an offence?"

Lieutenant Whitehead said this was correct and that although the Internal Security Act did not say that a sympathiser was guilty of an offence, it should be seen in a wider context.

Lieutenant Whitehead told the court that the Aggett home was searched because the security police had heard that Mr Gavin Anderson, who was wanted by them, was there. He could not explain why they had ransacked drawers and cupboards in their search.

Regarding the statement allegedly written by Dr Aggett, Mr Bizos read from a statement by political scientist Mr Tom Lodge that the wording was inconsistent with Dr Aggett's personality and displayed naivete about Marxism.

The words "I am also an idealist" contradicted another sentence that said "I support Marxist ideology and am therefore a communist."

Mr Lodge said a communist would not describe Marxism as an ideology.

He also questioned the use of the word "communistic" elsewhere in the statement.

Lieutenant Steven Whitehead — an ambitious policeman.

elderly couple's cupboards and drawers.

- Mr Bizos put it to Lieutenant Whitehead that a statement in which Dr Aggett allegedly admitted he was a communist was the work of Lieutenant Whitehead.
- Lieutenant Whitehead claimed Dr Aggett had not been forced to spend more than 110 hours rewriting a statement, which had a

The 25-year-old security policeman, who spent three years observing Dr Aggett's movements, was also the second security police officer to claim that, in Security Branch eyes, African National Congress sympathisers were viewed in the same light as full members.

Captain Martin Naude, an East London security policeman, who headed the interroga-

# Aggett 'not pressed' for trial

Argus Correspondent

JOHANNESBURG. — Pressure was not brought to bear on Dr Neil Aggett to get evidence from him for a big treason trial promised the public by the Minister of Justice, a Johannesburg magistrate heard today.

This evidence was given at the inquest on Dr Aggett by his chief interrogator, Lieutenant Steven Peter Whitehead.

Lieutenant Whitehead said he had been aware of a public statement by the Minister before Dr Aggett's death that there was to be a big treason trial at which a number of people were to be tried and accused of treason.

**IN CHARGE**

Lieutenant Whitehead said that after a Captain Naude left on January 25, he was put in charge of interrogating Dr Aggett.

Mr George Bizos, appearing for the Aggett family, suggested to Lieutenant Whitehead that at this stage there was pressure to get evidence for a treason trial.

Lieutenant Whitehead denied this.

Mr Bizos suggested that 60 people had been detained and interrogated for the trial but because there was no evidence from them, there was pressure.

**DETRIMENTAL**

Lieutenant Whitehead said he did not know about this.

He also denied that he had been told by anybody that it would be detrimental to the administration of justice and the country as a whole if harm came to Dr Aggett.

(Proceeding)

# Husband disappears after police questioning

Sowetan 11/10/82 (329)

BY ELLIOT TSHINGWALA

**A NEWLY-married Soweto woman, whose happiness was shattered after three men took her husband away for "questioning" five years ago, is still waiting for his return.**

Mrs Queeneth Msomi of Orlando and her two children, aged 10 and 17, have not heard from her husband, Raynold, since August 13, 1977, when three men, who identified themselves as members of the Brixton Murder and Robbery Squad, took him away.

According to Mrs Msomi, police know nothing of her husband's disappearance.

Records from Brixton police station in her possession show that he was released four days later.

Mrs Msomi said she had not lost hope and knew her husband would come back.

She said the three men who took her husband away said they wanted to question him in connection with an armed robbery. They promised he would be back the same day after making a statement.

When her husband failed to come home she went to Brixton and searched for the three men. She was later told her husband had been released four days after being taken in.

She was told that her husband might have skipped the country or was "lying low" until the situation cooled down.

Mrs Msomi said her husband's absence has caused confusion in her home.

# Solidarity Day for the detained

CAPE TIMES 12/10/82 329

By TONY WEAVER

YESTERDAY was the International Day of Solidarity with Prisoners of Apartheid, commemorated by anti-apartheid groups worldwide

In South Africa, the day passed almost unnoticed

As the end of 1982 approaches, it is clear that the past 12 months have signalled one of the most intense periods of State suppression of dissent since the early 60s and the aftermath of the 1976 Soweto rebellion.

The chairman of the Civil Rights League, Mr Brian Bishop, said yesterday the four years since Mr P W Botha came to power had seen "repression and injustice as never before" making "a mockery of the word reform".

Information on detainees is often hard to come by. The situation with South Africa's 386 political prisoners is even more tortuous, complicated by stringent legislative provisions which prohibit publication of any new information on prisons not cleared by the authorities.

However, it is known that Robben Island prisoners are steadily being transferred and that:

- Presently imprisoned in Pollsmoor near Tokai are some of the world's most celebrated political prisoners, including ANC leaders Nelson Mandela and Walter Sisulu and fellow 1964 Rivonia sabotage "lifers". Govan Mbeki, Ahmed Kathrada, Andrew Mlangeni, Raymond Mhlaba and Elia Motsoaledi
- Between 50 and 70 former Island prisoners are now at Heiderstroom, near Caledon, and about 10 at Paarl's Victor Verster, while seven whites — David Kitson, Dennis Goldberg, Raymond Suttner, Jeremy Cronin, David Rabkin, Dr Renfrew Christie and Guy Berger — are known to be at Pretoria Central.
- Sixteen State witnesses have recently refused to testify against friends or colleagues in political trials in Maritzburg, Kempton Park and Ciskei. Sentences ranged from nine months to five years' imprisonment.
- There has been a sharp increase in what are now being seen as political trials — young white men who refuse to undergo military service. Most of these conscientious objectors have refused training on moral/religious grounds.

Last week, the first overtly political objector, Mr Billy Paddock, was sentenced to 12 months imprisonment.

Reporting on detentions has been tightened up, with security police refusing to confirm detentions unless the full name, place of birth and birth date of a detainee are provided.

An estimated 190 people are detained in South Africa and bantustans.

More than 5 000 people have been detained in South Africa since 1963, with about 1 400 banned by administrative decree in the same period. At present, 87 people are banned.

In 1981, 899 people were detained under Section 6 of the Terrorism Act and the General Laws Amendment Act.

Public outrage has grown as detentions and allegations of abuses have increased. The Detainees Parents' Support Committee recently submitted a detailed report to the police, citing 70 statements from ex-detainees, alleging torture by security police.

Electric shock torture, beating, slapping, kicking, attacks on genitals, suspension in mid-air, being interrogated while naked, sleep, food and toilet deprivation, enforced standing for long periods and physical exertion were cited as methods used to extract information during interrogations.

In the past year, three security police detainees — Dr Neil Aggett, Mr Tshifiwa Muofhe and Mr Ernest Dipale — have died in detention while Ms Linda Dlodlo died 16 days after her release.

# 'Free Mandela' call

From RICHARD WALKER

NEW YORK — Western European nations yesterday joined a call on South Africa to release Nelson Mandela "and other such men" in "a spirit of reconciliation", and the United Nations Secretary-General, Dr Javier Perez de Cuellar, appealed for a general amnesty.

"It is time for men of goodwill to be brought together to steer the country in a direction conforming to the spirit of our age," the UN chief told a meeting of the UN Committee against Apartheid held to mark the annual Day of Solidarity with South African political prisoners.

He said South Africa was far from being the only country where "corroding bitterness and tragic conflict had resulted from shortsighted and unjust policies, directed particularly against men and women of conscience who assert the elementary freedom of their compatriots".

# Detainee 'watched' for suicide

MAGus 12/10/82 (329)

**Argus Correspondent**

JOHANNESBURG. — A detainee was kept under constant observation because it was feared he would commit suicide, the inquest on Dr Neil Aggett heard today in the Johannesburg Magistrate's Court.

Lieutenant Rudolph Jacobus Venter of the security police at Thabazimbi said he had been part of a six-man team that had interrogated Pramanathan Naidoo between September 2 and 6 last year.

Naidoo is serving a one-year sentence for harbouring an escaped political prisoner.

**ROBBEN ISLAND**

"When I began talking to Naidoo, he said he would not co-operate and would rather go the same path as Timol or his brother Indris and go to jail on Robben Island," Lieutenant Venter said.

Ahmed Timol was a detainee who fell to his death at John Vorster Square.

He reported to Major Arthur Cronwright, the head of investigation personnel at John Vorster Square, who ordered that Naidoo be kept under constant observation.

**NAKED**

Cross-examined by Mr George Bizos SC, for the Aggett family, Lieutenant Venter denied that Naidoo was kept naked during the entire period, tortured and interrogated continuously.

He also denied that Naidoo was made to march on the spot while holding up an African National Congress flag.

Lieutenant Venter agreed there was an ANC flag in Warrant Officer Smith's office on the tenth floor of John Vorster Square, in which Naidoo was interrogated.

**ANC MEMBER**

Naidoo denied he was a member of the ANC or the South African Communist Party. Lieutenant Venter said Naidoo had told him his brother Indris was an ANC member.

Lieutenant Venter denied repeatedly asking Naidoo if he was an ANC member and said he had asked the qucstion only once.

He said Naidoo's allegations that he was given electric shocks, forced to exercise and to hold a chair in the air for long periods were "far-fetched".

He said he had not given Naidoo tablets to stay awake during the five-day period.

Mr Bizos: Why are you smiling?

The magistrate, Mr P A J Kotze: I have often noted what seems to be a smile or an expression of amusement on Lieutenant Venter's face.

Mr Kotze said he wanted this placed on record.

# SP officer ignorant of Aggett's exercise rights

(329)

By ANTON HARBER
Mail Reporter

THE security policeman responsible for keeping Dr Neil Aggett in an interrogation room for a 62-hour stretch did not know what exercise the detainee was legally entitled to.

This emerged yesterday when Lieutenant Steven Peter Whitehead, in charge of much of Dr Aggett's interrogation, was cross-examined during the inquest into the trade unionist's death in detention.

The court also heard Lieut Whitehead, in the witness box for the third day, deny a submission that he had driven Dr Aggett to commit suicide.

Asked by Mr George Bizos, SC, for the Aggett family, if he knew what exercise detainees were entitled to, Lieut Whitehead said he could not say exactly, but thought it was 30 minutes each day.

He said he had not read the warrant on which two 30-minute exercise periods each day were stipulated.

Lieut Whitehead said Dr Aggett had willingly stayed in the interrogation room because he wanted to finish his statement and that he was responsible for the interrogation and not for matters such as exercise.

When he said Dr Aggett had not changed his clothes during this interrogation session because he had no clean replacements, Mr Bizos told the court that a parcel of clothes was delivered to the prison each week.

He said a parcel delivered on January 29 — during the interrogation — had only been handed over on February 2.

Lieut Whitehead denied he could have deprived Dr Aggett of these rights.

He said he knew the Minister of Law and Order, Mr Louis le Grange, had told Parliament there was going to be a huge treason trial.

"I am going to put it to you that after Captain Naude left (January 8), there was no evidence of treason and that is why you put pressure on Dr Aggett," Mr Bizos said.

"It was not in my hands to decide what charges were laid," Lieut Whitehead said.

Asked why he had not called a doctor to disprove Dr Aggett's assault allegations, Lieut Whitehead said he had not considered it neccessary. He agreed with Mr Bizos that if Dr Aggett's assault claims were true, he would be held responsible.

The inquest continues at 9am this morning in Court 18 at the Johannesburg Magistrate's Court.

Mr George Bizos, SC, assisted by Mr Dennis Kuny and instructed by Mr William Lane of Bell Dewar and Hall appears for the Aggett family. Appearing for the Minister of Law and Order is Mr Pieter Schabort, SC, assisted by Mr Schalk Burger and instructed by State attorneys. Mr Piet Heasbrook, assisted by Mr Andre De Vries, leads the evidence.

The Star Tuesday October 12 1982

GENERAL NEWS

329

# 'Detainee's suicide feared'

A detainee was kept under constant observation because it was feared he would commit suicide, the inquest on Dr Neil Aggett, who died in detention, heard today in the Johannesburg Magistrate's Court.

Lieutenant Rudolph Jacobus Venter of the Security Police at Thabazimbi said he had been part of a six-man team that had interrogated Pramananthan Naidoo.

Naidoo is serving a one-year sentence for harbouring an escaped political prisoner.

"When I began talking to Naidoo, he said he would not cooperate and would rather go the same path as Timol or his brother, Indris, and go to jail on Robben Island," Lieutenant Venter said.

Ahmed Timol was a detainee who fell to his death at John Vorster Square.

Lieutenant Venter had reported to Major Arthur Cronwright, the head of Investigation Personnel at John Vorster Square, who had ordered that Naidoo be kept under constant observation.

Cross-examined by Mr George Bizos SC, for the Aggett family, Lieutenant Venter denied Naidoo had been kept naked during the entire period, tortured and interrogated continuously.

He also denied that Naidoo had been made to march on the spot while holding up an African National Congress flag. Lieutenant Venter agreed there had been an AC flag in Warrant Officer Smith's office on the tenth floor of John Vorster Square, where Naidoo was interrogated.

Lieutenant Venter said he had questioned Naidoo about his anti-South African Indian Council activities and his relationship with Barbara Hogan. Naidoo had replied that the anti-SAIC movement was above board and legal but would not say anything about Barbara Hogan.

Naidoo denied he was a member of the ANC or the South African Communist Party. Lieutenant Venter said Naidoo had told him his brother, Indris, was an ANC member.

Lieutenant Venter denied repeatedly asking Naidoo if he was an ANC member and said he had only asked the question once. He said Naidoo's allegations that he had been given electric shocks, forced to exercise and to hold a chair in the air for long peri were "far-fetched."

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(Proceedings)

Jeffoud Soumer

# Aggett: Officer ignorant of rules

CAPE Times 12/10/82 329

**Own Correspondent**

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This emerged yesterday when Lieutenant Steven Peter Whitehead, who was in charge of much of Dr Aggett's interrogation, was cross-examined during the inquest on the trade unionist.

The court also heard Lieutenant Whitehead, in the witness box for the third day, deny he had driven Dr Aggett to commit suicide.

Asked by Mr George Bizos, SC, for the Aggett family, if he knew what exercise detainees were

→→→ To page 2

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Cape Times 12/10/82

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From page 1329

entitled to, Lieutenant Whitehead said he could not say exactly, but thought it was 30 minutes daily.

He said he had not read the warrant, on which it stipulated that the detainee was entitled to two 30-minute exercise periods daily.

Lieutenant Whitehead said he had already told the court that Dr Aggett had willingly stayed in the interrogation room for this period because he wanted to finish his statement.

He said he knew the Minister of Law and Order, Mr Louis le Grange, had told Parliament that there was going to be a huge treason trial.

"I am going to put it to you that after Captain Naude left (January 8), there was no evidence of treason and that is why you put pressure on Dr Aggett," Mr Bizos said.

"I put it to you that if Dr Aggett committed suicide, it was because you drove him to it," Mr Bizos said. Lieutenant Whitehead denied it.

The inquest continues today.

# Police quiz union men

Labour Reporter

Two officials of the South African Allied Workers Union (SAAWU) were held by the police at John Vorster Square yesterday, but released later without being charged.

Mr Derrick Smoko and Mr Asthon Kili are SAAWU officials from East London who were attending a union meeting in Johannesburg.

The union's national organiser, Mr Herbert Barnabus, has criticised the police action. He said the holding of union members, and then releasing them without laying charges was becoming more frequent.

The police would not comment.

# Police counsel objects to more evidence

Counsel for the South African Police objected today to a request for more detainees to give evidence at the inquest into the death of Dr Neil Aggett.

Mr Pieter Schabort SC said proceedings could drag on endlessly by the introduction of fresh evidence.

He submitted that the magistrate, Mr P A J Kotze, might "lose control" of proceedings should he allow three former detainees — Mr Auret van Heerden, Miss Barbara Hogan and Mr Eric Mntongo —to give evidence.

Mr George Bizos SC, for the Aggett family, submitted their evidence was "vital."

To exclude it would leave serious allegations of assaults by security policemen untested and unheard, he said.

He said the same investigation team was involved in the alleged assaults. The team was also linked to Dr Aggett in time, method and circumstance.

Mr Bizos also asked that evidence by a district surgeon, Dr Norman Jacobson, Dr Ivan Cohen and Ruth Becker, which would support the former detainees' allegations, be allowed.

Mr Schabort objected. If former detainees were called at least nine police officers would have to be recalled.

Twenty policemen allegedly implicated in the assaults would have to testify.

The possibility existed that counsel for the police would find it necessary to ask for doctors, magistrates and other detainees to be called.

"It is necessary for any presiding officer to guard against an unnecessary waste of time due to protraction which serves no real purpose," Mr Schabort submitted.

He submitted all issues affecting the inquest had been adequately aired in the 34 days of proceedings so far.

Mr Schabort submitted the inquest had reached a "critical" stage at which Mr Kotze's hold on proceedings was being tested.

Mr Bizos argued that to exclude the evidence because the hearing was taking too long would negate the purpose for which the inquest had been held.

"The fact that there are further witnesses who can give similar factual evidence is important because, mindful as we are of the expense and the time that has been taken by the investigating officer, the court, the police counsel and ourselves, it is more important to establish if Dr Aggett was treated in a manner which may have led him to take his life," Mr Bizos said.

The inquest was postponed to October 25 when Mr Kotze will give a ruling on the application.

● See Page 7.

# Detainee 'refused to answer questions'

Argus Correspondent

JOHANNESBURG. — A detainee being interrogated on the 10th floor of John Vorster Square by security police told one of them he would "rather take the way out Timol took than answer questions", a Johannesburg magistrate heard.

The detainee, Pramanathan Naidoo, was questioned for 50 hours at John Vorster Square and told his interrogators he would not co-operate with them.

This evidence was given at the inquest on Dr Neil Aggett by Warrant Officer William Smith who said that after Naidoo said this, a senior officer ordered that a close guard be placed on him.

Warrant Officer Smith said the interrogation of Naidoo — between November 30 and December 4 last year — was in his office at John Vorster Square where Naidoo slept at night in a camp bed.

**"NOT ASSAULTED"**

"He was never assaulted or naked and there was no need for anxiety on his part, excepting for the fact that he was in detention," said Warrant Officer Smith.

Mr Bizos, who appears for the Aggett family, asked him whether he had ever been told that a detainee must from time to time during questioning be taken away from his interrogators to prevent bad psychological effects on him. Warrant Officer Smith said nobody had told him this.

Mr Bizos: Did anyone ever say to you 50 hours was an unreasonable time for a detainee to be in the company of his interrogators?

Warrant Officer Smith: No.

**COMFORTABLE**

Mr Bizos: Why was Naidoo not taken to his cell under guard where he would have been more comfortable?

Warrant Officer Smith: He was more comfortable in the office.

Mr Bizos: If he had clearly indicated to you that he was unwilling to answer questions, he could not have been very comfortable in the presence of his interrogators.

Warrant Officer Smith: He could have changed his mind about answering questions and we could have gained his confidence.

Mr Bizos: You kept him in the office to punish him for not co-operating?

Warrant Officer Smith: Being sent to the cells would have been punishment, the office was more comfortable.

Mr Bizos: Was the purpose of keeping him in the office for 50 hours to prevent him from committing suicide or to get him to answer questions?

Warrant Officer Smith: For both reasons.

(Proceeding)

# Detainee was questioned in shifts — SP

329

By ANTON HARBER

SECURITY Police arranged special shifts to keep a detainee under "close observation" for an indefinite period in an interrogation room, the Johannesburg Regional Court heard yesterday.

Two Security Policemen — Lieutenant Roelof Jacobus Venter and Warrant-Officer William Smith — said this during the inquest into the death in detention of trade unionist Dr Neil Aggett.

The two were not involved in the interrogation of Dr Aggett, but were called to give evidence on the treatment of another former detainee, Pramananthan Naidoo.

Naidoo told the court two weeks ago the two officers had been present at various times during a nine-day interrogation period in November last year.

He said he had been allowed only a few hours sleep in seven days, had been given electric shocks, beaten, punched and kicked, made to stand for long periods and to kneel until the skin on his knee broke, had been kept naked, threatened with death and made to exercise excessively.

He said he had become so tired at the end of the nine days that he had fallen asleep standing up and had confessed to a crime he had not even been questioned about.

Naidoo is serving a one-year sentence for harbouring an escaped political prisoner.

Yesterday Lieut Venter and W/O Smith denied any knowledge of assaults on Naidoo.

They both told the court Naidoo had been unwilling to answer their questions at first and had told them he would not co-operate.

Naidoo had said he would sooner take the path of Mr Abraham Timol, who committed suicide at John Vorster Square, than that of his brother Mr Ingres Naidoo, who had been jailed for 10 years, the policemen said.

Lieut Venter said he had been in charge of the interrogation of Naidoo for 38 hours between December 2 and December 6 last year.

He said Naidoo had always been well handled and had not complained. He had been questioned about his activities in the campaign against the South African Indian Council and his connection with Miss Barbara Hogan.

On the first day of the interrogation, seven policemen had been arranged into three shifts to interrogate Naidoo and keep him under close observation.

He said the shifts were to have continued "until further notice".

Asked by Mr George Bizos, SC, for the Aggett family, why he had not been kept under observation by a constable in his cell so that officers could do more important work, Lieut Venter agreed this would have been easier, but the intention had also been to question him.

He denied Naidoo had been deprived of sleep.

Lieut Venter denied he had assaulted three other detainees — Shirish Nanabhai, Ismail Momoniat and Judas Ngwenya.

W/O Smith told of a 50-hour period in which Naidoo was kept in his 10th floor office constantly in the presence of policemen.

"I believed he would be happier in the office than alone in his cell," W/O Smith said.

The cross-examination of W/O Smith continues today.

# Detainee 'said he would take way of Timol'

A detainee being interrogated on the 10th floor of John Vorster Square by Security Police told one of them he would "rather take the way out Timol took than answer questions," a Johannesburg magistrate heard.

Ahmed Timol fell to his death at John Vorster Square in 1972.

The detainee, Pramanathan Naidoo, had been questioned for 50 hours and had told his interrogators he would not co-operate with them.

This evidence was given at the inquest on Dr Neil Aggett, who died in detention by Warrant Officer William Smith. He said that after Naidoo had made the declaration that he would rather follow Timol than answer questions, a senior officer had ordered a close guard be placed on him.

Warrant Officer Smith said the interrogation of Naidoo had taken place in his office at John Vorster Square, where Naidoo had slept at night on a camp bed during the 50 hours of interrogation between November 30 and December 4 last year.

Naidoo was then taken to Vereeniging, where he was interrogated until December 6 when his attitude changed.

"He answered questions and the tension eased," Warrant Officer Smith said. "He made a statement at a later stage but I was not present."

"He was never assaulted or naked and there was no need for anxiety on his part," said Warrant Officer Smith.

Mr George Bizos, for the Aggett family, asked Warrant Officer Smith whether he had ever been told that a detainee should, from time to time during questioning be taken away from his interrogators to prevent adverse psychological effects on him.

Warrant Officer Smith replied nobody had told him this.

Mr Bizos: Did anyone ever say to you 50 hours was an unreasonable time for a detainee to be in the company of his interrogators?

Warrant Officer Smith: No.

Mr Bizos: Why was Naidoo not taken under guard to his cell, where he would have been more comfortable?

Warrant Officer Smith: He was more comfortable in the office.

The hearing continues today.

# Aggett inquest cost is R250 000

By Joe Openshaw and Alex Ball

The inquest on Dr Neil Aggett, who died in detention on February 5, has cost an estimated R250 000 so far.

These are the costs for the legal teams representing the Aggett family, the State, Minister of Law and Order, the South African Police and the SA Railway Police.

Since the inquest opened on March 2 the court has sat for 34 days. Hundreds of documents have been handed in as exhibits.

Forty-two witnesses have testified. These include 27 policemen and nine former detainees.

Yesterday the presiding magistrate, Mr P A J Kotze, was asked to admit the evidence of four more former detainees and three other witnesses, two of them doctors and one a friend of one of the former detainees.

Also before court are affidavits by three expert witnesses, Dr R G West, of the Neuro-Psychiatric Institute of Los Angeles, Dr Zalmon Wolf and Professor Charl Vorster, of the Rand Afrikaans University.

The magistrate has already indicated that Professor Vorster will be called to give evidence.

Mr Kotze is expected to decide by Monday whether to issue subpoenas for the seven witnesses the Aggett family's legal team wants called.

Mr P J Schabort, SC, for the Minister of Law and Order, said if these witnesses were called he would have to recall at least nine policemen and call 20 others who had been implicated by the former detainees.

He said he might also have to call magistrates, doctors and detainees.

A police psychiatrist, Professor J A Plomp, who has attended the inquest throughout is also likely to be called by counsel for the police.

The officer investigating Dr Aggett's death, Captain J Victor of the Commercial Branch, has still to give evidence.

There are indications that the inquest, which resumes on October 25, could last into the New Year.

It could become the longest and possibly the costliest inquest yet held in this country.

At one stage Mr Schabort submitted that counsel for the Aggett family was changing the scope of the inquest to the extent that it was turning proceedings into a commission on inquiry into the country's security legislation.

Mr G Bizos SC, for the Aggett family, submitted yesterday that more witnesses were important to establish if Dr Aggett were treated in a manner which might have led him to take his life.

In an affidavit 14 hours before his death Dr Aggett claimed he had been tortured.

Only one witness, former detainee Mr Maurice Smithers, claims to have seen Dr Aggett tortured.

He said Dr Aggett was forced to run on the spot and do push-ups while being beaten with what seemed to be a rolled up newspaper.

Other detainees said they had seen Dr Aggett's condition deteriorate before his death.

Two detainees alleged they were given electric shocks — one of them while naked during round-the-clock interrogation sessions.

Other witnesses alleged they were assaulted and intimidated during questioning.

Police witnesses have denied all the allegations.

# Aggett: clash on adding to evidence

(329) Star 14/6/82

Counsel for the South African Police objected yesterday to a request for more detainees to give evidence at the inquest on Dr Neil Aggett, who died in detention.

Mr Pieter Schabort, SC, said proceedings could drag on endlessly if fresh evidence were introduced.

He submitted that the magistrate, Mr P A J Kotze, might "lose control" of proceedings should he allow three former detainees — Mr Auret van Heerden, Miss Barbara Hogan and Mr Eric Mntongo — to give evidence.

Mr George Bizos, SC, for the Aggett family, submitted their evidence was "vital."

To exclude it would leave serious allegations of assaults by security policemen untested and unheard, he said.

He said the same investigation team was involved in the alleged assaults. The team was also linked to Dr Aggett in time, method and circumstance.

Mr Bizos also asked that evidence by a district surgeon, Dr Norman Jacobson, Dr Ivan Cohen and Ruth Becker, which would support the former detainees' allegations, be allowed.

Mr Schabort objected. If former detainees were called at least nine police officers would have to be recalled.

Twenty policemen allegedly implicated in the assaults would have to testify.

The possibility existed that counsel for the police would find it necessary to ask for doctors, magistrates and other detainees to be called.

"It is necessary for any presiding officer to guard against an unnecessary waste of time due to protraction which serves no real purpose," Mr Schabort submitted.

He submitted all issues affecting the inquest had been adequately aired in the 34 days of proceedings so far.

Mr Schabort submitted the inquest had reached a "critical" stage at which Mr Kotze's hold on proceedings was being tested.

Mr Bizos argued that to exclude the evidence because the hearing was taking too long would negate the purpose for which the inquest had been held.

"The fact that there are further witnesses who can give similar factual evidence is important because, mindful as we are of the expense and the time that has been taken by the investigating officer, the court, the police counsel and ourselves, it is more important to establish if Dr Aggett was treated in a manner which may have led him to take his life," Mr Bizos said.

The inquest was postponed to October 25 when Mr Kotze will give a ruling on the application.

# lan sits n at own nquest

man attended his wn inquest yester- y and heard his ife and his family ell a Johannesburg magistrate how they identified his body nine months ago and buried him.

The man, Mr Abednego Mashoba (53), of 359 Dhlamini 2 Soweto, heard his wife Mrs Alinah Mashoba (53) tell the magistrate, Mr A B Joubert she had documents showing he was buried on January 12.

Mr Mashoba was giving evidence he was still alive.

He told the court he was admitted to Baragwanath Hospital late last December and treated for a "natural illness." then was transferred to Sterkfontein Hospital before being sent home on August 10.

Mrs Mashoba said Baragwanath Hospital said her husband was discharged on December 30.

In January the family identified a body of a road accident victim as her husband.

Mr Joubert said when the inquest began Abednego Mashoba was regarded as the deceased and ruled that nobody could be held responsible for the dead man, an unknown person.

Referring to the day of the shooting — Christmas Day last year — at a farm in Weltevreden, Mrs Davis said her stepson, Ernest, had talked about taking a cow away.

She had replied he could not take a cow from her farm. They were joking but Ernest responded by saying "Like hell it's your farm."

Mrs Davis said she told him she had paid for everything on the farm. Ernest said she was a liar and they exchanged words.

She said that after Ernest had called her a bitch and a prostitute, he whispered something into the ear of her husband who then slapped her.

She said her son, Magnus, got up from a chair. Her husband and Ernest rushed at Magnus and started hitting him.

Mrs Davis said she was terrified. In a state of panic she ran to her bedroom and fetched her gun.

She said she got a fright when Ernest rushed at her. A shot went off as she stepped backwards and Ernest collided with her. Her husband was wounded in the neck.

She said Ernest had kicked her and she fell. They struggled for possession of the gun. She feared he would kill her if he got the weapon.

The hearing continues today.

Mr Justice Ackerman is on the Bench. Mr C B Ferreira appears for the State. Mr E Dane appears for Mrs Davis.

MRS DAVIS . . . outside court yesterday.

# Aggett: clash on adding to evidence

Counsel for the South African Police objected yesterday to a request for more detainees to give evidence at the inquest on Dr Neil Aggett, who died in detention.

Mr Pieter Schabort SC said proceedings could drag on endlessly if fresh evidence were introduced.

He submitted that the magistrate, Mr P A J Kotze, might "lose control" of proceedings should he allow three former detainees — Mr Auret van Heerden, Miss Barbara Hogan and Mr Eric Mntongo — to give evidence.

Mr George Bizos, SC, for the Aggett family, submitted their evidence was "vital."

To exclude it would leave serious allegations of assaults by security policemen untested and unheard, he said.

He said the same investigation team was involved in the alleged assaults. The team was also linked to Dr Aggett in time, method and circumstance.

Mr Bizos also asked that evidence by a district surgeon, Dr Norman Jacobson, Dr Ivan Cohen and Ruth Becker, which would support the former detainees' allegations, be allowed.

Mr Schabort objected. If former detainees were called at least nine police officers would have to be recalled.

Twenty policemen allegedly implicated in the assaults would have to testify.

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"The fact that there are further witnesses who can give similar factual evidence is important because, mindful as we are of the expense and the time that has been taken by the investigating officer, the court, the police counsel and ourselves, it is more important to establish if Dr Aggett was treated in a manner which may have led him to take his life," Mr Bizos said.

The inquest was postponed to October 25 when Mr Kotze will give a ruling on the application.

# Son drowns: mother (33) is charged

A mother appeared in the Rand Supreme Court yesterday accused of drowning her son aged 10 and of trying to strangle another son.

Mrs Christina Elizabeth van Jaarsveld (33) of Brackenhurst, Alberton, was not asked to plead to charges of murder and attempted murder.

Mr Acting Justice Kriegler postponed the hearing to November 1 after appointing a psychiatrist, at the request of defence counsel, to inquire into Mrs van Jaarsveld's mental state.

The indictment says that on February 9 this year she drowned her son, Hank in a bathtub at their home. She allegedly tried — but failed — to strangle an-

Collins then sent a case of with a note which read "T Be

# Bag-snatching pair get jail terms

By Margaret Floyd
West Rand Bureau

Two men who temporarily blinded a woman with red pepper before robbing her of her handbag containing R6 000 and a firearm were jailed by a Randfontein regional magistrate yesterday.

Bidwell Phakathi (33), who admitted eight previous convictions, including theft, was sentenced to 10 years jail.

Mrs D Bews told the court that she was on her way to a Randfontein bank on March 1 when two men approached. Pepper was thrown in her eyes, her bag was snatched and she was left holding the handles.

She tried to give chase but was temporarily blinded.

The magistrate, Mr H J Oosthuizen, said the two had committed a serious well-planned


MANNIE AUCTIONEERING CO

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FOR FURTHER PARTICULARS APPLY TO THE AUCTIONEERS

329

# SP man 'unaware' of superior's ban

By ANTON HARBER

A SECURITY policeman did not know that his superior, Brigadier Hendrick Muller, disapproved of the type of "intensive interrogation" he had given a detainee.

Warrant-Officer William Smith said this yesterday while giving evidence at the inquest on trade unionist Dr Neil Aggett, who died in detention.

The inquest court also heard yesterday that the Deputy Attorney-General, Mr A Swanepoel, had handed a tape-recording of his discussion with a detainee over to the Security Police.

Most of the day in the Johannesburg Regional Court — the 33rd day of the inquest — was taken up with argument on whether eight more former detainees should be called to give evidence.

The inquest then adjourned until October 25 when the magistrate is expected to rule on the admissibility of the affidavits from Mr Auret van Heerden, Miss Barbara Hogan, Mr Eric Mntonga and the Rev Frank Chikane.

Mr Firoz Cachalia, Mr Samson Ndau and Mr Monty Narsoo, whose original affidavits were refused on the grounds that they were too vague, submitted supplementary affidavits.

Mr Dennis van Heerden, Miss Ruth Becker and Dr Ivor Cohen have also submitted affidavits in support of Mr Auret van Heerden's evidence.

"If this evidence is excluded, there will always be a question mark as to the correctness of the finding at this inquest," Mr George Bizos, SC, for the Aggett family said.

He argued that the evidence threw light on the physical and mental state of Dr Aggett in the week before he was found hanged in his cell and on the existence of a "system of interrogation and ill-treatment" carried out by the investigation team.

He said the affidavits had been submitted late since the individuals had only recently been released from detention.

Mr Van Heerden's evidence of the condition of Dr Aggett in the last week of his life was possibly more important than any of the evidence given by other detainees, Mr Bizos said.

"It is felt by some that these proceedings should have no end — only a beginning," Mr Pieter Schabort, SC, for the Minister of Law and Order, replied.

He said that apart from eight detainees, at least 20 policemen would have to be called and the proceedings were becoming prohibitively long.

Mr Schabort said Mr Van Heerden had had a "perfect opportunity" to give this evidence when he had seen the Deputy Attorney-General while in detention.

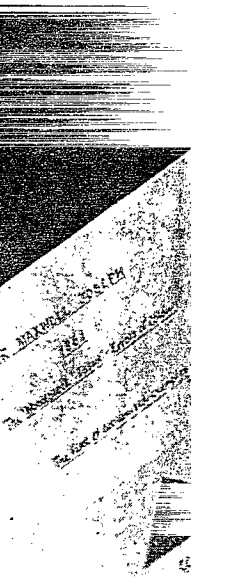
Mr Bizos then said Mr Swanepoel had handed a tape-recording of the conversation to the Security Police.

Earlier W/O Smith had described the interrogation of a former detainee Pramananthan Naidoo. Asked if he knew that Brig Muller had told the court earlier that he was opposed to intensive questioning, W/O Smith said he had heard this for the first time in court.

He said he was not aware of any order from Brig Muller preventing such questioning.

"I put it to you that the reason you moved Mr Naidoo to Vereeniging for his questioning was because Brig Muller would not approve of your method of interrogation," said Mr Bizos.

The policeman denied it.



# Napoleon's marriage certificate for sale

LONDON. — The marriage certificate of Napoleon's wedding to Josephine, held the night before his coronation as Emperor of France, will go under the hammer next month, Christie's Auction House said yesterday.

The wedding ceremony took place on December 1, 1804, at the insistence of Pope Pius VII, who ruled that a previous civil wedding was invalid.

The ceremony was conducted by Napoleon's uncle, Cardinal Fesch, and the marriage certificate is written entirely in the Cardinal's hand, says a statement from Christie's.

The certificate, estimated by the auctioneers to be worth between R16 000 and R20 000, is to be auctioned in London on November 11 as part of a R2-million sale of letters, documents and music manuscripts.

Also to be auctioned is a 1796 letter from Napoleon to his brother Joseph in which he writes of his passion for Josephine. — Sapa-AP.

Ms Cheryl Smith of Sothe
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R50

# Aggett: More ex-detainees to be called?

AR 445 14/10/87 (329)

JOHANNESBURG. — A security policeman told the Johannesburg Regional Court yesterday that he did not know his superior, Brigadier Hendrick Muller, disapproved of the type of "intensive interrogation" he had given a detainee.

Warrant Officer William Smith admitted this in evidence at the inquest on Dr Neil Aggett.

The court also heard that the Deputy Attorney-General, Mr J A Swanepoel, had handed a tape recording of his discussion with a detainee to the Security Police.

Most of the day was spent in legal argument on whether or not eight more former detainees should be called to give evidence.

The inquest was adjourned to October 25 when the magistrate is expected to give his decision on the admissibility of affidavits from Mr Auret van Heerden, Miss Barbara Hogan, Mr Eric Mntonga and the Rev Frank Chikane.

Mr Feroz Cachalia, Mr Samson Ndau and Mr Monty Narsoo, whose original affidavits were refused because they were too vague and did not name the individuals that they implicated, submitted supplementary affidavits giving this information.

Mr Dennis van Heerden, Miss Ruth Becker and Dr Ivor Cohen had also submitted affidavits in support of Mr van Heerden's evidence.

"If this evidence is excluded, there will always be a question mark as to the correctness of the finding at this inquest," Mr George Bizos, SC, for the Aggett family, said.

He argued that the evidence threw light on the physical and mental state of Dr Aggett during the week before he was found hanged in his cell and on the existence of a "system of interrogation and ill-treatment" carried out by the investigation team.

Mr Bizos argued that it did not matter where the alleged maltreatment of detainees had occurred, since they were all part of the same investigation.

# Inquest costs R250 000 so far

Argus Correspondent

JOHANNESBURG. — The inquest on Dr Neil Aggett, who died in detention, is estimated to have cost R250 000 so far.

These are the costs for the legal teams representing the Aggett family, the State and the Minister of Law and Order, the South African Police and the Railway Police.

Since the inquest opened on March 2 there have been 34 court days and hundreds of documents handed in as exhibits.

## LONGEST

Forty-two witnesses have given evidence, including 27 policemen and nine former detainees.

There are indications that the inquest, after it resumes on October 25, could last into the New Year and become the longest inquest in the history of South Africa.

In an affidavit made 14 hours before his death, Dr Aggett claimed he had been tortured by being forced to do exercises, given electric shocks and assaulted.

One witness, former detainee Mr Maurice Smithers, claims to have seen Dr Aggett tortured.

Other detainees said they had seen Dr Aggett's condition deteriorate before he died on February 5.

Police witnesses have denied these allegations.

# Aggett inquest adjourned

CAPE Times 14/10/82 329

Own Correspondent

JOHANNESBURG. — A security policeman did not know that his superior, Brigadier Hendrick Muller, disapproved of the type of "intensive interrogation" he had given a detainee.

Warrant Officer William Smith admitted this yesterday while giving evidence at the inquest on Dr Neil Aggett, who died in detention on February 5.

The inquest also heard yesterday that the Deputy Attorney-General of the Transvaal, Mr J A Swanepoel, had handed a tape-recording of his discussion with a detainee over to the security police.

Most of the day in the Johannesburg Regional Court — the 33rd day of the inquest — was taken up by complex legal argument on whether eight more former detainees should be called to give evidence.

The inquest then adjourned until October 25 when the magistrate is expected to give his decision on the admissibility of affidavits from Mr Auret van Heerden, Miss Barbara Hogan, Mr Eric Mntonga and the Rev Frank Chikane.

Mr Feroz Cachalia, Mr Samson Ndau and Mr Monty Narsoo, whose original affidavits were rejected on the grounds that they were vague and did not name the individuals implicated, submitted supplementary affidavits giving this information.

## 'Question mark'

Mr Dennis van Heerden, Miss Ruth Becker and Dr Ivor Cohen also submitted affidavits in support of Mr Auret van Heerden's evidence.

"If this evidence is excluded, there will always be a question mark as to the correctness of the finding at this inquest," said Mr George Bizos SC, who is representing the Aggett family.

He argued that the evidence threw light on the physical and mental state of Dr Aggett during the week before he was found hanged in his cell — as well as the existence of a "system of interrogation and ill-treatment" carried out by the investigation team.

Mr Bizos argued that it did not matter where the alleged maltreatment of detainees had occurred, since they were all part of the same investigation and were interrogated by the same team under Major Arthur Cronwright.

He said the affidavits had been submitted late because the individuals were only recently released from detention.

Mr Van Heerden's evidence of the condition of Dr Aggett in the last week of his life was possibly more important than any of the evidence given by other detainees, Mr Bizos said.

## 20 policemen implicated

"It is felt by some that these proceedings should have no end — only a beginning," replied Mr Pieter Schabort SC, representing the Minister of Law and Order, Mr Louis le Grange.

He said apart from eight detainees, at least 20 policemen implicated in their evidence would have to be called and the proceedings were becoming prohibitively long.

Mr Schabort said Mr Van Heerden had a "perfect opportunity" to give this evidence when he saw the Deputy Attorney-General during his detention.

Mr Bizos then pointed out that a tape-recording of the conversation had been handed over by Mr Swanepoel to the security police.

Earlier Warrant Officer Smith described the interrogation of former detainee Pramananthan Naidoo. Asked if he knew that Brigadier Muller had told the court earlier that he was opposed to intensive questioning, the policeman said he had heard this for the first time in court.

He said he was not aware of any order from Brigadier Muller preventing such questioning.

"I put it to you that the reason you moved Mr Naidoo to Vereeniging for his questioning was because Brigadier Muller would not approve of your method of interrogation," said Mr Bizos. The policeman denied this had been the case.

Mr Bizos argued that the evidence given by Naidoo earlier in the inquest — that he was extensively tortured during a nine-day interrogation period in November last year — was true. Warrant Officer Smith denied that any assault had taken place and said Naidoo had always been well treated.

# Police object to more evidence from detainees

(329)

**COUNSEL for the police objected yesterday to a request for further detainees to give evidence at the inquest on Dr Neil Aggett in the Johannesburg Magistrate's court.**

Mr Pieter Schabort SC said the inquest could be dragged out endlessly by the introduction of fresh evidence. He warned the magistrate, Mr P A J Kotze, that he might lose control of the proceedings if he allowed three former detainees — Auret van Heerden, Barbara Hogan and Eric Mntongo — to give evidence.

Mr George Bizos SC, for the Aggett family, submitted their evidence was vital. To exclude it would leave serious allegations of assaults by Security Policemen untested and unheard, he said.

He said the same investigation team was involved in the alleged assaults, which were also linked to Dr Aggett in time, method and circumstance.

Mr Bizos also asked for the admission of evidence by a district surgeon, Dr Norman Jacobson, Dr Ivan Cohen and Ruth Becker, whom he said would verify the former detainees' allegations.

Mr Schabort objected. He said if the detainees were called at least nine police officers would have to be recalled. A further 20 policemen implicated in the assaults would have to testify and the possibility existed that the police counsel would find it necessary to ask for the calling of doctors, magistrates and other detainees.

Sowetan 14/10/82 329

# UNION BOSS IN COURT TODAY

**THE chairman of the Motor Assembly and Components Workers' Union of South Africa (Macwusa), Mr Dumile Makhanda, who was arrested on Tuesday by three members of the Security Police, is to appear in court today for contravening his banning orders.**

According to Mr Dennis Neer, an executive member of Macwusa, Mr Makhanda was arrested as he was leaving Ford headquarters in Port Elizabeth where he had had an appointment. He was told he would be charged with contravening his banning orders which restrict him to KwaZakhele township, and also of possessing certain documents.

Mr Neer said the union's legal advisers were only told Mr Makhanda would appear in court somewhere in the Eastern Cape. Mr Makhanda was banned for two years in March.

# Students gve peace terms

Argus Correspondent

JOHANNESBURG — The Minister of Justice, Mr [illegible], has [illegible] as a [illegible] of the [illegible] could [illegible] the [illegible] representative [illegible] to the [illegible]

[illegible] boycott of lectures by [illegible] students [illegible] Mr Monnakgotla [illegible] Mr Monnakgotla [illegible] Mr Monnakgotla

(329)

# Kwazakhele man sues minister

PORT ELIZABETH — A Kwazakhele man, Mr Malungelo de Villiers Mkholo, has instituted a claim for R66 063 against the Minister of Police, Mr Louis le Grange, for alleged assault, unlawful arrest and detention.

According to the summons served on the minister, Mr Mkholo was struck in his left lower leg by a bullet fired by a member of the South African Police while walking in Kwazakhele, Port Elizabeth, on November 28 last year.

"The said shooting was unlawful and intentional and constituted assault by the said member of the police. Alternatively, he failed to exercise proper or sufficient control over the firearm," the summons reads.

On the arrest and detention claim, the summons alleges that on December 30, Mr Mkholo was "unlawfully arrested by a member of the police who acted in the course and within the scope of his employment as such."

Subsequent to the arrest, and during the period December 30, 1981 and February 3, 1982, members of the police "wrongfully, unlawfully and without just cause or reason, detained Mr Mkholo," first at the Kwazakhele Police Station and thereafter at the North End Prison.

He is claiming for future loss of earnings, pain and suffering, shock and scarring, disability in respect of "the enjoyment of the amenities of life and contumelia".

The public relations division of the South African Police in Pretoria, yesterday confirmed that a civil claim had been instituted in this matter. — DDC.

# suspended

last month Bekoe appeared before a public tribunal together with Mr Krobo Edusei, a close friend of Dr Chiavelli, on charges of illegally receiving money from the Italian millionaire.

Both men are former leading members of the People's National Party, headed by the country's former President, Dr Hilla Limann.

The two men refused to plead because they were not represented.

According to the charges they allegedly received money from Dr Chiavelli to boost party funds in contravention of a Ghanaian law which forbids soliciting party funds from foreigners.

The future of the case is now in doubt for the tribunals have been suspended indefinitely.'

Dr MARINO CHIAVELLI

# Agonising search for arrested son

In the early hours of June 24, a first-year student at the University of the North — whose father is an Anglican priest in Johannesburg — was arrested on campus.

The parents were told of their son's disappearance only the next day — by fellow students.

For four weeks, sick with worry over his mysterious disappearance, the parents tried to find out where their son was being held. Their friends, among them the Anglican Bishop of Johannesburg, the Rt Rev Timothy Bavin also tried to find out where the student was being held, but to no avail.

The agonising search during those four weeks was described by Bishop Bavin in the Anglican newsletter, The Watchman.

"Heaven knows how many phone calls were made to police stations, without effect. When some of the phone calls were answered I received treatment which was polite but unhelpful, and usually I was given another telephone number . . . of yet another police station, of yet another police officer," Bishop Bavin said.

"Eventually I found myself, in the fourth week, in contact with a senior officer, only to be told it was not policy to reveal the whereabouts of detainees; but if the parents presented themselves in person to a certain officer at John Vorser Square, he would give them some information.

"On phoning the father to tell him this I learnt his son had been released that very day after 30 days in detention."

The youth had been held in a police station in the northern suburbs of Johannesburg.

"It is only common decency and proper humanity — let alone Christian morality — which demands that the next of kin be informed by the security Police of the arrest of a detainee. This should apply especially to the detention of someone under 20 years of age," said Bishop Bavin.

NEWS

# Chiavelli link case

**The Star's Africa News Service**

ACCRA — Ghana's military rulers have suspended legal proceedings in which two former civilian politicians are charged with illegally receiving R1 140 000 from South African-based millionaire Dr Marino Chiavelli.

The ruling Provisional National Defence Council, headed by Flight-Lieutenant Jerry Rawlings, suspended all tribunals recently in the face of growing pressure from the West African country's legal fraternity.

Lawyers had threatened to boycott the tribunals in protest against their establishment over the tested judicial process.

The suspension also comes after a recent controversial sentence in which a former civilian politician, Nana Bekoe, was ordered to carry toilet buckets for six months in the poor sections of his home town.

Bekoe was caught as he was fleeing the country when Lieutenant Rawlings seized power in a coup at the beginning of the year. He was subsequently charged with smuggling.

In a separate case

# Good guys or cruel torturers?

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S. Tribune 7/10/82

## SECURITY POLICE AND TWO SIDES OF AGGETT INQUEST

By CHARLENE BELTRAMO

EVIDENCE at the marathon inquest into the death of Dr Neil Aggett has painted contradictory pictures of Security Police practices and interrogation techniques.

The trade unionist died in detention in February.

Police witnesses describe warm and friendly relationships between the police and the detainees which involve such amicable arrangements as an outing to the zoo, an invitation for a braaivleis and teaching a detainee such skills as typing.

But other witnesses tell how they were made to stand until their feet swelled, that interrogators administered electric shocks to their arms or genitals, beat them up, abused and intimidated them.

The inquest has also shown that some Security Policemen are ignorant about legal safeguards to protect detainees.

- Detainees have alleged physical assaults by Security Police — most of whom were people Dr Aggett complained of, in the statement he made hours before he died, alleging torture.

- They have alleged having been beaten, slapped, kicked and shocked.

### A peep at the people in Court

THE AGGETT inquest has taken place in the same drab cream and wood Court 18 of Johannesburg magistrates court intermittently since April.

Magistrate Petrus Kotze, a tanned, greying man, with neatly trimmed beard, oversees the court and sometimes, with a wry smile, firmly puts lawyers for either the Aggett family, or the Minister of Law and Order in their place.

He is assisted by an assessor, Professor L. Smith of Cape Town.

Mr Aubrey Aggett, his face ashen and leaning on a walking stick, and Dr Liz Floyd sit behind their counsel, Mr George Bizos, SC and Mr Denis Kuny on the right of the court.

On the left sit counsel for the Minister of Law and Order. They have brought a filing cabinet into court to contain the growing mountains of evidence, and before each hearing, neatly stack at least 22 carefully indexed files in front of them.

Counsel for the Minister, is Mr Pieter Schabort, an impeccably dressed man with close cropped grey hair. He is assisted by Mr Schalk Burger a tall thin man, with wide eyes, who carries two enormous briefcases to and from court each day.

Mr Andre de Vries, chief Johannesburg prosecutor, leads the evidence. His hair is carefully slicked back and while leading evidence he often toys with a gold chain.

Security Police sit behind the State Prosecutor, and counsel for the Minister of Law and order. They often lounge in the sunlit passageway outside the court observing the comings and goings of the continual stream of Press or members of the public.

Police psychiatrist, Professor L. Plomp, who has sat through each day of the proceedings, intersperses his notes with brilliant portrait sketches of the magistrate or witnesses.

tic bag was placed over his head, he was kicked, made to hold a chair over his head while kneeling, was punched, his hair pulled, forced to strip and endure a security policeman stinging his genitals with a rubber band.

He was also humiliated, he said, when a policeman tied a bow around his penis and other officers laughed at the spectacle.

He alleged Warrant Officer William Smith told him, while he was being forced to exercise, that: "We want to get your body warm because in a post mortem when the body is warm, marks do not show".

Security Police, however, claimed their relationship with Naidoo was friendly and that he was not abused or assaulted.

Warrant Officer Smith said they had taken Naidoo with them to a braaivleis at the Vaal Dam as a treat, after one two day interrogation period.

He denied they wanted to, or had threatened to, drown him.

One former detainee, who testified before the inquest, Shirish Nanabhai, told the court he was also manacled in a wrist to ankle position during interrogation. He claimed a canvas bag was placed over his head and electric shocks applied to his arms.

Afterwards his interrogators took him on an outing to the zoo.

Some Security Policemen displayed ignorance about legal safeguards to protect detainees.

Lieutenant Sevn Whitehead, 25-year-old chief interrogator of Dr Aggett, said he did not know detainees were entitled to two half-hour periods of exercise a day, he thought it was only one half-hour period.

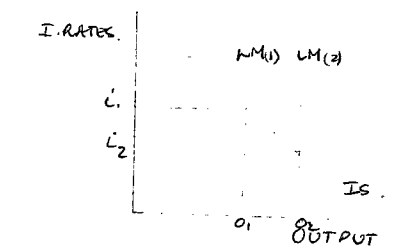
He was not the only policeman who had no knowledge of this. Captain Martin Naude, who was also in charge of Dr Aggett's interrogation, said that on January 4, the day Dr Aggett claimed he was first assaulted until he bled, he gave Dr Aggett an electric typewriter and taught him to type.

The inquest resumes on October 25.

Section A - Question 2:

~~Monetary Policy~~
~~Effect~~

Initial let us assume that a country has an unemployment problem. To overcome this problem the government is going to have to increase output. Fiscal Policies say that one can achieve an increase in output by a shift in the I.S. curve. ~~As~~ The Monetarists ~~have~~ say that ~~because~~ this policy tends to overlook the crowding out effect and the only way to ~~increase~~ decrease unemployment is to increase the money supply (shift LM




so ~~if one~~ so using monetary policy if one decrease unemployment (move from ~~from~~ then we would have to increase the supply LM, to LM2 - this causes a dec the interest rate $i_1 - i_2$. This however reject the hoarding out principal acars is that part of the increased saved and this causes an increase in interest rate. ~~Furthermore than~~ If o the money supply beyond a full emp then an increase inflation occurs

Two detainees claimed they were handcuffed wrist-to-ankle in a crouching position while being interrogated.

Mr Pramathan Naidoo, who is serving a 7year-long prison sentence for harbouring Stephen Lee, who escaped from Pretoria Central Prison with Alexander Moumbaris three years ago, alleged that in addition to other assaults and abuse he was made to stay awake for seven days.

Mr Naidoo, whom counsel for the Agett family maintain had treatment analogous with that of Dr Agget, testified that he was interrogated for one 60 to 70 hour period by shifts of interrogators. (Security Police have denied similar shifts were used for Dr Agetts 62-hour interrogation stretch the weekend before he died).

During his interrogation Mr Naidoo alleged he was smacked, his head banged on a desk, made to squat in a corner facing the wall while being hit on the back of the head, forced to do excessive exercise, policemen stood on his arm and hit him under the feet until he screamed.

He says his ankle and wrist were shackled with handcuffs, a bar-

SUNDAY EXPRESS October 17, 1982

# Doctors link Biko to Medica Council's plan to ban Press

**SENIOR doctors this week linked the SA Medical and Dental Council's proposal to ban the Press from hearings on medical misconduct to a looming deadline in the Biko case.**

Professor Frances Ames, spokesman for a group of doctors seeking a full public inquiry into the medical treatment of black consciousness leader Steve Biko, said she could see no other reason for this week's move to hold secret hearings.

Lawyers for the group of doctors wrote to the Medical Council on September 1 that unless the council had acted on demands for a public inquiry by October 30, the group would petition the Supreme Court for an order to compel an inquiry.

Professor Frans Geldenhuys, chairman of the medical council, confirmed this week that the ban on public hearings could have the effect of blocking a public inquiry into the treatment of Biko in his cell in September 1977. Professor Hillel Shapiro, who proposed the secrecy, denied that the intention was to cover up the Biko case. He had previously demanded a full public inquiry on Biko.

Dr Marius Barnard, PFP spokesman on health, said all explanations so far given for the move towards secrecy were "totally unacceptable".

"I want to know why now? I suspect the Biko case was the reason for the council's decision."

Referring to charges that Press reports on council hearings were often inaccurate and damaging to the families of doctors accused of misconduct, Dr Barnard said:

"Doctors have less right than other members of the public to be protected from publicity because they hold the health of their patients in their hands."

Professor Ames was equally suspicious of the timing. She said:

"The only reason I can think of for this move to hold secret hearings is the demand for an inquiry into the Biko doctors. If the inquiry was not the main reason, why was the decision taken at this time?"

A preliminary inquiry finding by the Medical Council that the Biko doctors were not guilty of disgraceful or improper conduct was endorsed by the council in June, 1980.

## Lining up for a place in the Miss SA beauty stakes

FIVE hopeful beauties at the finals of the Miss South Africa contest sponsored by the Sunday Times last night were (from left) Sandra de Meyer, Ann Crous, Colleen Vlok, Leigh-Jane Cluver and Illse Alberts.

The winner was to be crowned later yesterday evening.

## DR MARIUS BARNARD SLAMS PROPOSED SECRET HEARINGS

By GORDON EDDEY

gal steps" if the council did not act by that date.

The unwillingness of the South African medical authorities to hold a public inquiry into the Biko case has caused widespread international condemnation. A spokesman for the British Medical Council, Mr Tony Thistlethwaite, said this week that the BMA strongly supported an open inquiry.

He said it would study the full implications of secret disciplinary inquiries for South African doctors.

One of the Biko doctors, specialist physician Dr Colin Hersch, said he had from the first supported an open inquiry.

Ames who submitted the legal document, said that if the Biko case was heard in secret, it would take the matter back to square one.

Dr Yusef Veriava, a spokesman for the HWA, said his group had asked for an open inquiry into the Biko doctors and believed the public had to be shown that justice had been done.

The system of secret disciplinary hearings means:

- Doctors' names would not be made public until they were found guilty of committing an offence.
- Only the doctor's name, the charge and sentence would be made public if a medical practitioner was found guilty.
- The verbatim proceedings of the inquiry would not be made available to the Press and public.
- The medical council would at no time disclose whether a hearing was being considered or being heard.

Professor Geldenhuys said the resolution would come into effect as soon as the Minister of Health, Dr Nak van der Merwe, authorised the change in the rules. It would then apply to all cases, which could include the Biko case.

This April the council agreed to reopen the inquiry after a 40-page legal document had been submitted by the Ames group in February.

The medical council also faces a demand for action by October 30 from a second group, the hundreds-strong, all-black Health Workers' Association. It has said it would consider "further le-

quiry.

The other doctors were district surgeons Dr Benjamin Tucker and Dr Ivor Lang. Both admitted at the inquest into Mr Biko's death that they had allowed orders from Security Police to override the interests of their patient.

Mr Eddie Barker, one of the five doctors led by Prof

# Argument over inquest witnesses

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**IF MORE former detainees are not called to testify at the Aggett inquest, there will always be a question mark against the findings.**

This was said this week by Mr George Bizos SC, for the family of Dr Neil Aggett, after police lawyers objected to the calling of eight more former detainees to testify at the inquest into Dr Aggett's death.

A trade unionist, Dr Aggett was found hanged in a John Vorster Square cell on February 5.

When the hearing resumes next Monday, the magistrate will have to make a ruling which will determine whether

**Sunday Express Reporter**

the inquest will finish within a week or two or be prolonged.

The inquest adjourned on Wednesday after lengthy and complex legal argument on whether the former detainees should be called.

The detainees have evidence to give on Dr Aggett's mental and physical condition in the last week of his life and on their own alleged torture at the hands of the Security Police.

Lawyers for the Aggett family have submitted affidavits from Mr Auret van Heerden, Miss Barbara Hogan, the Rev Frank Chikane and Mr Eric Mntonga as well as supporting affidavits from Mr Dennis van Heerden, Miss Ruth Becker and Dr Ivor Cohen.

Supplementary affidavits, which provide information missing from earlier affidavits that were rejected by the magistrate, have been submitted from Mr Firoz Cachalia, Mr Samson Ndau and Mr Monty Narsoo.

"Some people seem to feel that this inquest should have no end — only a beginning," Mr Pieter Schabort SC, for the Minister of Law and Order, told the court in his objection.

He argued that the inquest would be prolonged unnecessarily, since if the former detainees were called, "scores" of policemen implicated in their allegations would also have to be called.

But Mr Bizos said: "If this evidence is excluded, there will always be a question mark as to the correctness of the finding at this inquest."

He argued that to exclude them on the ground that it would take up too much time would be "contrary to the manner in which justice is administered".

Mr Bizos also pointed out that the four new affidavits came from detainees who were only recently released and therefore were inaccessible earlier.

Nine former detainees have already given evidence to the court.

The inquest, which has lasted 33 days spread over six months, has often been complex and tedious, but has maintained enough interest to keep the public gallery full.

And for the Aggett family and Dr Aggett's girlfriend, Dr Liz Floyd, the Magistrate's courts have become part of their way of life — down to the daily delivery of morning tea by Mrs Elizabeth Lane, wife of family lawyer Mr William Lane.

The inquest resumes on October 25.

# The Outcast of Afrikanerdom, counting the days till the banning ends

329

THE black-suited delegates to the NGK Synod being held in Pretoria seem to be almost light years away.

It's mid-afternoon and Christiaan Frederick Beyers Naudè, outcast extraordinary from the privileged inner sanctums of Afrikanerdom, is dressed in blue shorts and checked sports shirt.

There's been a hailstorm. He's been up a ladder repairing a gutter at his modest bungalow in the leafy Johanneburg suburb of Greenside.

At 67 he's deeply tanned and looks remarkably fit. Many a younger man would envy his physique.

He laughs and jokes. He appears relaxed. Above all else, he's modest and self-effacing.

But the atmosphere is perhaps misleading. For these are anxious days indeed for this exceptional son of South Africa.

Newspapers opened at reports of the synod indicate one preoccupation. A desk calendar tells of another: On Tuesday it will be exactly five years since this former Broederbonder was served with a banning order — an order that restricts much of his life and confines him to the magisterial district of Johannesburg. An order, too, which means he may not be quoted in the media.

The order expires, in fact, at midnight on October 31 (incidentally, Reformation Sunday), and those close to Beyers Naudè are counting the days, the hours, to see whether it is reimposed.

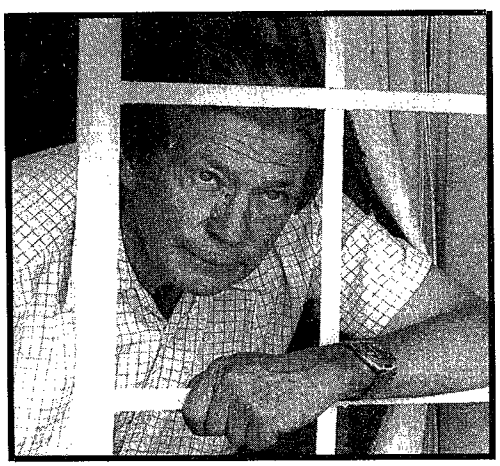
## Advisers

His friends hope, desperately, that it will not be renewed. That he and his wife Ilse, who is 69 and whose life is willy-nilly restricted by his banning order, will be freed from restriction.

The decision rests formally with Mr Louis le Grange, Minister of Law and Order, on the basis of recommendations from his security advisers. If it has not been made already, it can be only days away.

And, meanwhile, Beyers Naudè — so named after Boer War General Christiaan Frederick Beyers — spends his days gardening, receiving visitors (though only one at a time, because that is what is demanded by the banning order) ... and, at present, following in minute detail the NGK deliberations in Pretoria.

Peter Randall in his new book "Not Without Honour: Tribute to Beyers Naudè" (Ravan Press, Johannesburg) suggests a parallel between Alexander Solzhenitsyn and Beyers Naudè. He says that but for his "conversion" Beyers Naudè, with his impeccable Afrikaner background, steady progress through the hierarchical



Beyers Naudè — five years of restriction

structures of Afrikanerdom, high intelligence, great personal charm and considerable personal gifts as an orator, "could have aspired to the very highest clerical and secular offices in his community".

Meeting Beyers Naudè now, it is difficult to take issue with Randall. But for his own Damascus Road, it is not difficult to imagine him as the Moderator of the NGK, a pillar of the Establishment.

He has, however, travelled that road. He may think back to his early days in Graaff-Reinet and his beloved Klein Karoo. To his ministrations to the NG congregation at Aasvoëlkop, the elite Afrikaner community on the Witwatersrand.

He is an Afrikaner. He loves his *volk*. As he loves his church and his faith.

But there's no going back. And, almost certainly, Beyers Naudè has not the slightest regret about the course he has chosen.

One of those close to him said: "If it is seen as betrayal, then so be it. Beyers's spirits are high."

He sits in a high-backed armchair and talks in rich tones ... sometimes deeply moving about his life and his beliefs. But the law says he cannot be quoted. And so be it.

## Concern

In the thin afternoon sunshine, as Beyers Naudè breaks off briefly to help his gardener Freddie with a particularly difficult planting operation, one is tempted to wonder what, if things were different, he would have told the NG Synod during the past few days?

Would he have pleaded with them that they should hear and heed the voice of Christian concern and conviction coming from their own daughter churches, from Alan Boesak and others?

Would he have pleaded with them not to isolate themselves from Christian bodies inside and outside South Africa? Would he have said that in isolation there can be only serious spiritual impoverishment?

Beyers Naudè, not unnaturally, has strong views on the NGK, just as he does on our society. But they may not be quoted.

Friends, however, say that they have watched the Pretoria synod not only with interest but with growing concern — concern, basically, because they believe that the majority of delegates to the Synod do not have the slightest notion of what the feelings of the black majority in South Africa are.

If they did their attitudes would be different. For many of those at the synod, they say, have not the slightest knowledge of the feelings of their own daughter churches.

And, these friends say, they are frightened by the "immobility" and lack of foresight of the Synod delegates: The text of "*Ras, Volk en Nasie*", for example, is to be raised at the next Synod in three of four years — something which they regard as "dangerous" and "dilatory" given the rate at which the country is changing.

Ottawa, they say, should be regarded as a challenge, not as a conviction.

So speak Beyers Naude's friends. He, clearly, would like to make his own contribution to the great debate. But he cannot, for he is banned.

## Desperate

He does, of course, speak. He receives droves of visitors (though one at a time). He is internationally known. And many saw in Alan Boesak's election at Ottawa a tribute to Beyers Naudè.

He is even allowed to carry out purely church ministrations, and this morning he will preach at two services in St George's, Parktown.

But it is a fair bet to assume that he desperately wants to see the banning order on him expire without a renewal ... if for no reason other than the fact that his wife, to whom he became engaged on Christmas Day in 1937, is so affected by it.

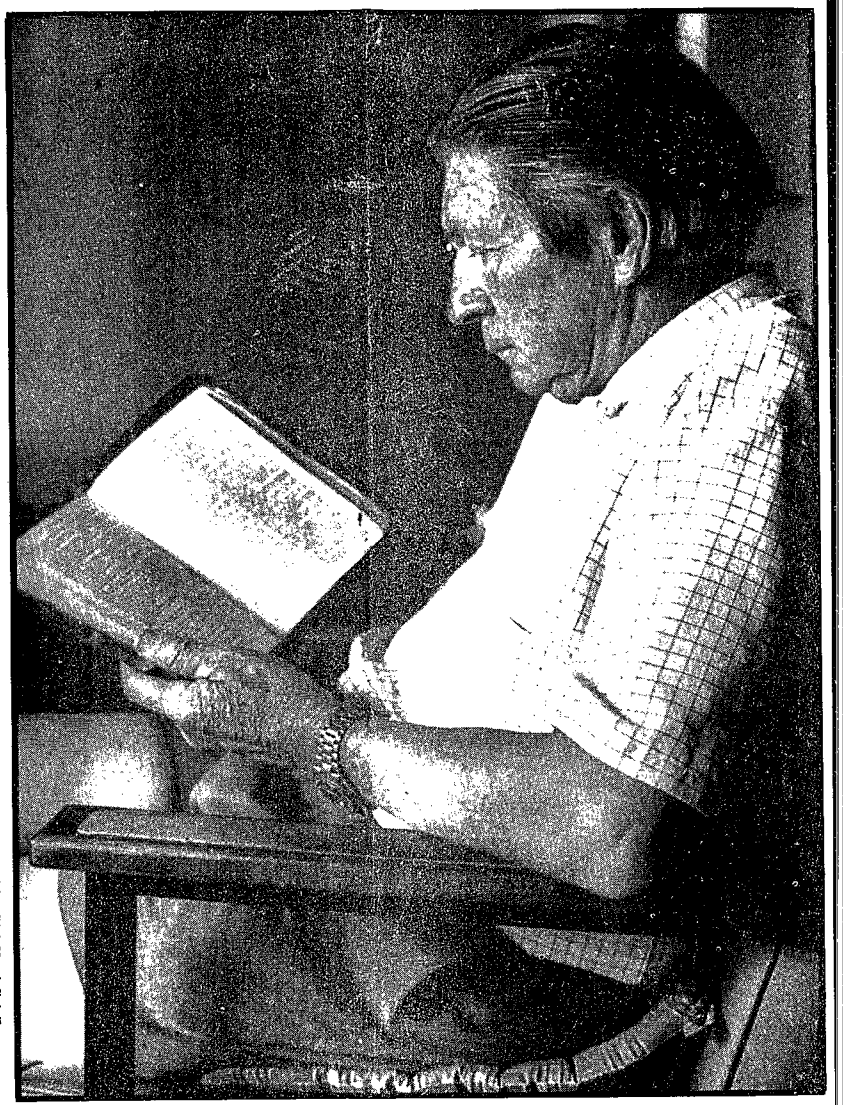
Together they count the days and hours to midnight on October 31.

And as one takes leave of Beyers Naudè one is deeply troubled by the experience of meeting him for the first time.

For one is left wondering whether the banning of Beyers Naudè says more, perhaps, about the society that restricts him than it does about the man himself.

**Bruce Loudon**

JAMES SOULLIER TOOK THE PICTURES



He is an Afrikaner who loves his *volk*, his church and his faith. But there's no going back for him.

# The man who will decide how much Aggett evidence will be heard

REPORT BY BRUCE LOUDON

LEFT: The magistrate, Mr P A J Kotze

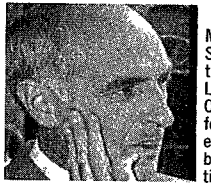
RIGHT: The trade unionist, Dr Neil Aggett

**IT IS a decision of cardinal importance for the Aggett inquest hearing.**

**One that will decide whether or not more evidence is to be heard from others held in detention at the same time as Dr Neil Aggett; and whether rebuttals will be required from as many as 29 more police witnesses.**

Making it in the course of the next few days will be goatee-bearded magistrate Mr P A J Kotze, who has already presided over some 35 days of hearing, amounting to a massive 2 500 pages of court record.

Mr George Bizos, for the Aggett family, who wants to lead further evidence



Mr Pieter Schabort, for the Minister of Law and Order, who feels further evidence will be a waste of time

Before the inquest adjourned last Wednesday afternoon, Mr Kotze was presented with arguments for and against the hearing of further evidence.

From white-haired Mr George Bizos, SC, representing the Aggett family, he heard representations that more evidence was vital in reaching of a correct conclusion about the circumstances surrounding Dr Aggett's death at John Vorster Square, Johannesburg.

From Mr Pieter Schabort, SC, representing the Minister of Law and Order and the Police, he heard a counter-argument.

"This inquest has already reached the proportion of an inquiry into detention in general," said Mr Schabort, echoing an argument he made earlier that the inquest had become an inquiry into Security Branch activities as a whole.

It is these two points of view that Mr Kotze will consider in the coming days, before the inquest reconvenes next Monday, October 25. Then, he said, he would pronounce his decision on the admissability of further evidence.

Finding in favour of Mr Bizos's argument would, it seems, lead to the admission of affidavits and evidence from another seven former detainees — and, according to Mr Schabort, the summoning of at least 29 more police witnesses.

## Witnesses

Admitting these affidavits as evidence "could lead to a virtual reopening of the inquest", Mr Schabort contended, adding that there was a "real possibility that some witnesses would have to be recalled.

This, said Mr Schabort, amounted to time-wastage. The main issues surrounding the death of Dr Aggett, he said, "have already been presented to the court from all angles".

Mr Bizos argued his point of view no less strongly.

Among the seven affidavits which he wants the court to accept is one from former detainee Auret van Heerden, which, he told the court, deals at length with his "association with and observation of Dr Aggett during detention at John Vorster Square".

Verwaardig in Suid-Afrika

Mr Bizos added: "As regards the information relating to his own (van Heerden's) ill-treatment, although this took place at the offices of the security police in Benoni, Van Heerden was in fact, for most of his detention, detained at John Vorster Square and his interrogation took place under the directions and command of Major (Arthur) Cronwright who was in overall charge of the investigations involving all these witnesses, and Dr Aggett."

In legal terms, what Mr Bizos is arguing for is the admission of what is termed "similar fact evidence" and on more than one occasion he has referred in court to what he contends was a "modus operandi" adopted by security police in their handling of detainees.

## Maltreatment

On June 22 Mr Kotze ruled that such "similar fact evidence" from detainees and former detainees regarding alleged maltreatment of themselves and Dr Aggett was admissable.

The inquest adjourned on Wednesday in order to give Mr Kotze time to consider his decision and because court officers have other commitments during the coming week.

Mr Bizos, for example, has to attend the Supreme Court to hear judgment in the case of Miss Barbara Hogan, who is charged in connection with alleged ANC activities.

Before the adjournment, Mr Kotze heard more evidence from Security Branch Lieutenant Steven Whitehead, who was dubbed Dr Aggett's "Controller" by Mr Bizos.

## Torture

Lieutenant Whitehead strongly denied having maltreated Dr Aggett in any way.

Several other Security Branch officers were also called as witnesses. One, Warrant Officer William Smith, who was involved in the interrogation of Pramanathan Naidoo, a witness who claimed he was tortured while in detention, said he was not aware of any feeling among senior Security Branch officers against "intensive interrogation".

Mr Bizos had submitted that Brigadier Hendrick Muller, head of the Security Branch at John Vorster Square, had expressed himself against such "intensive interrogation".

W/O Smith said he heard of this for the first time from Mr Bizos in court.

W/O Smith said he was aware that detainees, according to regulations, had to be given exercise, but he was unable to say precisely how long this should last.

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The Star Monday October 18 1982



(329) Star 18/10/82

# Jail deaths 'show SA to be an unjust society'

By Stuart Flitton

The number of people who have died in detention in South Africa was too high to occur naturally in a just society, author and former politician, Alan Paton, said in Johannesburg at the weekend.

Addressing staff, parents and girls at Kingsmead College, he said the task of constructing a South African society in which all people could participate and receive justice was very difficult.

Mr Paton listed four things that should be done to achieve a just society:

- Provide a much higher standard of education for blacks.
- Restore the rule of law.
- Stop destroying families through migrant labour.
- Alter the disparity in wealth and possessions between whites and blacks.

It was tempting to believe that being prepared to die on the Namibia-Angola border was the way to show love of South Africa, he said.

"That isn't true. There are young men today who say, 'No. I cannot fight. I can't lift up a gun. It is against all that I believe.' and they are prepared to go to prison for it.

"There is no doubt that we white South Africans are too ready to boast about what we can do with our guns, especially this beautiful new gun that we have.

"Just as you cannot make a good society with that terrible and powerful yellow machine (bulldozer), so you can't make a good society with a gun either," he said.

# Meeting to focus on plight of detainees

The plight of South Africa's detainees will be discussed at a public meeting this evening.

The Detainees' Parents Support Committee will hold the meeting at 5.30 pm at Khotso House, 42 De Villiers Street, Johannesburg.

The main speaker will be Professor Frances Ames, the head of the department of neurology at the University of Cape Town. She has done extensive studies of the Steve Biko case and treated a former detainee, Siphiwe Mtimkulu, who was found to be suffering from thallium poisoning after his detention.

The debate will centre on a memorandum sent to the Minister of Law and Order, Mr Louis le Grange.

# Action by doctors on Biko?

Cape Times 18/10/82 329

**Own Correspondent**

JOHANNESBURG. — Five medical doctors who filed complaints regarding the conduct of the four doctors who treated black consciousness leader Mr Stephen Biko before his death in security police detention in 1977 will take legal action if the South African Medical and Dental Council (SAMDC) has not responded to their complaints by the end of this month.

The five doctors who filed the complaint are: Professor Frances Ames, Professor Phillip Tobias, Professor Trevor Jenkins, Dr L I Robertson and Dr E M Barker.

Their action follows an SAMDC proposal last week that all its future disciplinary hearings be held behind closed doors.

## 'Mysterious'

Yesterday Dr Barker, a lecturer at the University of Natal's Medical School, said it was "mysterious in the extreme" that the in camera proposal was made at this time.

A member of the SAMDC, Professor Hillel Shapiro, yesterday denied that the proposal was related to the complaints the council had received about the "Biko doctors".

"This has nothing to do with Biko — it is related to an original submission I made in September 1976," he said.

## Deadline

The group of five doctors would take legal action if the council had failed to reach a decision on the conduct of the "Biko doctors" by the end of October, Professor Ames said.

The Transvaal Healthworkers' Association (HWA) also filed a complaint about the "Biko doctors".

Its vice-president, Dr Yunus Veriava, said yesterday that the HWA — which also gave the SAMDC an October deadline — and the five doctors might act together in taking legal action.

# Secrecy call 'after legal case threat'

ARGUS 18/10/82

329

**Medical Reporter**

THE South African Medical and Dental Council's decision to have private disciplinary hearings came after five doctors threatened legal action unless the Council investigated the conduct of the four doctors who treated black consciousness leader Steve Biko.

Professor Frances Ames, head of the Department of Neurology at Groote Schuur Hospital, said today she and four other South African doctors called on the SAMDC in February this year to inquire fully into the circumstances surrounding the death of Mr Biko.

"NOTHING"

The other doctors were Professor Phillip Tobias, Professor Trevor Jenkins, Dr L I Robertson and Dr E M Barker.

Since February, according to Professor Ames, the SAMDC have done nothing about the inquiry call.

"Then, last month, we wrote to them to say that they had had at least six months to do something, and had done nothing; and that if they hadn't done anything by the end of October, we would be compelled to take legal action to force them to do something about it."

Professor Ames pointed out that the five doctors had made this threat before the proposal by the Council recently that all future disciplinary hearings be held in camera.

The call for an inquiry is contained in a 60-page document presented to the South African Medical and Dental Council in February.

The document submits that either:

- The circumstances surrounding the death of Mr Biko warrant a finding of improper or disgraceful conduct between the doctors; or
- The Medical and Dental Council should make it explicitly clear to the medical profession in this country and abroad, and to the public, that the conduct of the doctors was in accordance with the standards of professional competence and ethical conduct expected of medical practitioners in South Africa; and
- That other doctors may so conduct themselves in future without fear of disciplinary proceedings against them.

The document submits that one or other of these findings must be made by the Medical and Dental Council if the Council is not to evade its duty to the public and to the profession.

Andy, the [illegible] ... Today's cartoon is by Paul Lessing of the Natal Mercury and is his commentary on the recent discovery of a Soviet spy ship off the South African coast.

# Aggett inquest: 2 sides, 2 views

The Aggett inquest, which has adjourned after 33 days, has heard widely conflicting evidence from key witnesses. ANTON HARBER reports that the outcome of the hearing rests with the credibility of these witnesses.

IN the 33 days of the hearing so far, the court has been presented with two such vastly contradictory pictures of the events leading up to the death in detention of Dr Neil Aggett that one can only be believed at the expense of the other.

Three key issues that have emerged are the mental and physical condition of Dr Aggett in the week before he was found hanged in his cell, the existence of a "system of interrogation" involving torture, and the treatment of Dr Aggett in four days spent on the 10th floor of John Vorster Square.

The central characters in the court — former detainees and the security policeman who were responsible for their and Dr Aggett's imprisonment and treatment — have both dealt at length with these issues.

First, the court heard evidence from eight former detainees. Five said they had noticed a distinct deterioration in Dr Aggett's condition during the last week of his life. Three said he had difficulty walking.

One told of a bruise he saw on Dr Aggett's forehead, another how he had seen the detainee escorted to his cell, in tears and with blood on his forehead, only hours before his death. Two said Dr Aggett had told them he had been assaulted.

Mr Pieter Schabort, SC, and Mr Schalk Burger, for the Minister of Law and Order, have constantly challenged the allegations, and much of the cross-examination was aimed at discrediting the former detainees.

They pointed out that the bruise reported by one did not appear in the post mortem a few days later and that dates quoted by another differed from those given in an affidavit.

Four former detainees gave evidence of their own torture or maltreatment. This was presented as "similiar fact evidence" in a bid by Aggett family lawyers to prove there is a pattern of torture during interrogation sessions.

The most vivid and detailed description of torture was given by Pramananthan Naidoo. It was also crucial because it was the one most similiar to the complaint of assault made by Dr Aggett the day before he died. In contrast, police witnesses told of relaxed and friendly interrogation sessions.

But one key fact emerged from Naidoo's evidence. The policemen involved admitted arranging shifts to keep him under "close observation" for an indefinite period of time.

They argued this was to question him and ensure he did no harm to himself but Mr George Bizos, SC, for the Aggett family, contended the intention was to deprive him of sleep.

This was crucial since the same dispute exists over Dr Aggett's mystery four-day interrogation from January 25 to January 29. While Mr Bizos argued that similiar shifts were arranged to keep Dr Aggett awake during this period, police witnesses repeatedly refuted this.

Dr Aggett's complaint that he had been tortured was given support by Mr Morris Smithers, a former detainee, who told the court earlier that he had seen Dr Aggett being assaulted on January 25.

Former detainee, Mr Jabu Ngwenya, told the court that on that day the two policeman named by Mr Smithers went into his interrogation room, "their eyes wild like those of hunters", saying "Where is he? Where is he?" before going into Dr Aggett's interrogation room.

And on that day, Major Arthur Cronwright, who headed the investigation team, questioned the interrogation staff about Dr Aggett's first complaint of assault.

Police witnesses denied the assault claim. They said Dr Aggett was kept on the 10th floor by his own choice and would have been returned to his cell any time if he wished.

Lieutenant Steven Whitehead, the man in charge of this interrogation session, said Dr Aggett was allowed to sleep for 14 of the 62 hours.

It was Lt Whitehead who said Dr Aggett had been kept on the 10th floor because he had decided to "intensify" his interrogation.

But other interrogators said he was kept there because he had decided to "open up his heart".

They claimed he gave them crucial information, but have claimed privilege on the four pages of notes containing the information.

It was also Lt Whitehead who admitted that a security policeman had attempted to bribe a servant at the home of Dr Aggett's parents to gain entry and search the house.

Mr Bizos described this incident as "further proof of Lt Whitehead's lack of respect for the law". Lt Whitehead said it had been part of a search for an alleged ANC member, Mr Gavin Andersson.

Much of the argument has centered around police claims that Dr Aggett was an ANC member. Police regularly cited a document headed "Close Comrades", which they described as a letter from Miss Barbara Hogan to the ANC proving Dr Aggett was a cell member.

Mr Bizos contended that the letter distinguished between members and "advisory above ground people", and Dr Aggett was listed among the latter. He also pointed out that the letter misspelt Dr Aggett's name.

The inquest will resume next Monday with a decision by the magistrate on whether to hear evidence from more former detainees.

# Police keep beady eye on court crowd

Mercury 19/10/82 329

**Pietermaritzburg Bureau**

POLICE kept a close watch on a crowd of about 100 youths who gathered in the Magistrate's Court yesterday to hear an application for bail by a man arrested during a funeral in Sobantu last weekend.

After repeated requests to keep quiet, the youths, who were waiting in the court passages, were asked to leave the building.

At least two policemen had tear-gas canisters.

The youths had come to see Mr Ben Martins, 26, who had been arrested with 38 other people last Sunday during the funeral of a 17-year-old boy shot during unrest over rent increases in the township.

Members of the Dog Squad kept a low profile outside and the crowd on the pavement eventually dispersed when asked to do so by a senior police officer.

Mr Martins was granted R50 bail on condition he surrenders his passport and reports to the Plessislaer Police Station twice a week.

SOWETAN, Wednesday, October 20, 1982

# Prof explains horrors of detention

By SAM MABE

**A DETAINEE'S initial encounters with Security Police is so anxiety-provoking that their sense of judgment, thought and function of conscience are automatically impaired.**

This was said by Professor Frances Ames, professor of neurology at the University of Cape Town when addressing a meeting called by the Detainees' Parent Support Committee (DPSC) in Johannesburg this week.

Prof Ames said it was a well known fact that the maintenance of conscious awareness depended to a large extent on variation in the pattern of environmental stimuli.

In the absence of such stimuli, especially when coupled with relative physical immobility as happens with detention, subjects are rendered less vigilant.

She said this also leads to disruption of orderly thinking, loosening of emotional control, fantasy formation, distorted perception and hallucinations. When coupled with prolonged interrogation, the detainee's sense of time is upset and he or she becomes unsure of personal identity and of the dividing line between their own thoughts and those of the interrogators and inevitably more open to suggestion.

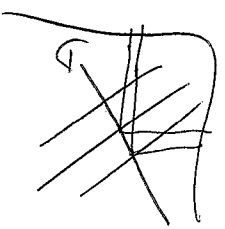
She also said political detainees' sleep was disturbed not only by anxiety but by having cell lights on all night and being visited periodically by police officers.

Total sleep deprivation results in detainees being unable to sustain attention. They have difficulty in handling multiple data and when required to solve problems, tend to react in a stereotyped fashion to the immediate present and ignore information from the past.

This difficulty in mobilising events of the past has been thought to play a significant part in the making of false confessions.

Another speaker, Dr Ismail Mohammed, of the University of Witwatersrand, said it was difficult for many people to believe that there was reform in South Africa, when people continued to disappear from their homes and while others died mysteriously in the hands of the police.

He said apartheid was a beast nobody would be prepared to live with, because of the bitter memories of 1976, of Steve Biko, Moabi Dipale and others who died in detention.



D. Dispatch 21/6/82

# Funeral guests believed held

EAST LONDON — A man and a woman taken from a funeral in Zone Five, Mdantsane, on Sunday, are believed to be detained in Ciskei.

Mr Godfrey Shiba and Ms Veronica Ntozini were taken by Ciskei Police who called in four vans at the funeral of Mr Thami Deliwe on Sunday, a spokesman for the South African Allied Workers' Union (Saawu) said yesterday.

The spokesman said that Col Louis Nhonhonho, of the Ciskei Central Intelligence Services (CCIS) was at the funeral.

"He said Mr Shiba had used the clenched fist at the start of a speech and claimed this was banned in Ciskei," the spokesman said.

Col Nhonhonho had then left and returned later with members of the Ciskei Police in four vans he said.

After an argument, Mr L. Ngabase, a member of Saawu, had asked Mr Shiba to go with Col Nhonhonho.

The spokesman said that Ms Ntozini and another man he knew only as Mgcineni were taken away by other policemen. He said the man had since been released and had been reported to have been at his place of employment.

Efforts to get comment from the Commander-in-chief of State Security in Ciskei, Lt-General Charles Sebe, were unsuccessful yesterday. His deputy, Brigadier N. Tamsanqa, referred inquiries to Gen Sebe. — DDR

BER 21, 1982

D. Dispersed
21/10/82

# Detainees remanded

UMTATA — Three men detained earlier this year appeared in court here yesterday and were remanded to November 4.

No charges have been put to, Mr Alfred Xobololo, Mr Ezra Sigwela, and a Mgwali man, Mr Mzwandile Wilson Fanti. — DDR.

# Biko's spectre still looms large

Professor ANDRE DU TOIT, associate professor of political philosophy at the University of Stellenbosch, says that Biko, Aggett and all the others will continue to haunt us for a long time.

ON our political calendar October 19 is a particularly grim anniversary, and this year it was even more bleak than usual. For in the wake of the Rabie report, and with the revised security legislation already on the book, it must now be clear that a major opportunity has been lost to introduce at least some effective control mechanisms to the heart of our security system: the practice of detention without trial.

Lest we forget, the reports on the Aggett inquest keep on reminding us of the continuing and aggravating presence of this running sore in our polity. In 1977 the overwhelming outrage at what was revealed by the Biko inquest at least held out the hope of reform, if only to prevent another Biko scandal. Today, if truth be told, we no longer have even that comfort. How has this come about?

In many ways the bannings of October 19, 1977, following on the death of Steve Biko, brought about the end of an era. Looking back today we can see something of the force as well as the limitations and unintended consequences of such drastic security actions.

The bannings were primarily intended to bring to an end the protracted period of civil turmoil which had swept the country since the Soweto schoolchildren first started marching in June 1976. Whether it succeeded in this objective is very much a moot point: by early 1978 the situation in black townships and schools had indeed been more or less "normalised", but this might well have happened in any case.

What is clear is that by playing this coercive trump card the Government also effected other changes in the orientation of black politics which it could hardly have had in mind.

The early 1970s had been marked by a significant resurgence of internal and public political activity among blacks. Chief Gatsha Buthelezi skilfully managed to turn the Government's homelands policy to different purposes and pioneered a controversial policy of collaborative opposition. In the urban communities the black consciousness movement took the lead in propagating a new mode of militant political awareness, and spawned organised involvement in a variety of fields: there was talk of a "black renaissance".

What is more, it seemed that the South African polity could to some extent accommodate such developments as legitimate politics. No doubt blacks still had to operate under severely restrictive conditions: BC activities were constant objects of security actions, many leaders were banned or, like the SASO leadership in 1974, brought to trial. Nevertheless, the black consciousness movement succeeded in maintaining a public and legitimate presence in the political arena.

With The World, urban blacks also found an articulate and increasingly effective public voice. Moreover at least some whites like Beyers Naudé and Donald Woods found sufficient common ground to give active and public support to these new black aspirations and claims. All this was shattered by the bannings on October 19, 1977 of SASO, the BPC and other major black consciousness organisations, as well as The World and the Christian Institute.

Black consciousness as a general orientation could not be banned by Government decree, of course, and soon new organisations such as Azapo was formed — but black consciousness no longer was the vital and public political force it had once been on the internal scene.

Nor could all forms of black political militancy simply be stamped out. They were forced into different channels. In a neat twist of

STEVE BIKO

pear that the ANC, which had been banned, crushed and driven into exile by the security clampdown following Sharpeville, had been the major beneficiary of the renewed security clampdown of October 1977.

Certainly the ANC has made a considerable comeback internally in the years since 1978. The drastic security actions may thus have served mainly to divert the more militant forms of opposition and resistance from internal organisations in the public arena to underground exile movements. As Israel has been discovering recently in Lebanon, the ability to impose coercive might effectively on a chosen target may yet unleash all sorts of new and more potent forces elsewhere.

A far-sighted observer might have predicted as much at the time. But in October 1977 he would have some reason to think that our security system, or at least the practice of detention without trial, was itself due to be revised. Surely the trauma of the Biko inquest, and its international repercussions, had to have some effect. At the very least the Government had a clear interest in taking the steps needed to ensure that this sort of thing did not happen again.

For a while it seemed that these expectations would be borne out. From mid 1978, for a period of more than three years, there were no further deaths in detention. In June 1978 the Minister appointed special inspectors who were to visit detainees under the crucial Section 6 of the Terrorism Act. In 1979 the Rabie and charged with a comprehensive investigation of security legislation. It was widely expected that the commission would deal with the system of detention without trial as a first priority.

Such expectations have been gravely disappointed. The Rabie Commission reported at the beginning of the year when Biko was already a fading memory, and it did not primarily concern itself with the ways and means of preventing abuses of the security system. Like the Steyn Commission it saw its task rather in the context of the "total onslaught".

Compared to the loose rhetoric and embarrassing gaffes of the Steyn report, the Rabie report appeared a model of competent workmanship and, unlike the recommendations of the Steyn report, its proposals, which involved a general consolidation of security legislation with a number of technical improvements, soon found their way onto the statute book. But it entirely avoided grappling with the central issue of detention without trial, a fact brought home by the news of the death in detention of Dr Neil Aggett within days of the report's release.

We have come a considerable way since October 1977. Opposition to detention without trial is today organised in bodies like the Lawyers for Human Rights or the Detainees Parents Support Committee. At least in these circles the issues are better understood, and there are quite specific proposals about what need to be done. But these pressure groups do not seem to have much impact at all.

The Aggett inquest seems to excite very little concern among the public at large: Its impact certainly cannot be compared with that of the Biko inquest. No less a body than TUCSA publicly qualified its concern with the fate of detainees without trial. In spite of considerable pressure Breyten Breytenbach was not released, presumably with a view to the political climate, and we shall soon know whether the ban on Beyers Naudé will be renewed.

Meanwhile the Government is steadily imposing more retrictions on information regarding security matters, and preparing the way to cut off the financial support for extended defence at political trials at source, while disquietening reports circulate that we may be involved in all sorts of "destabilising" projects throughout the sub-continent.

In October 1982 we must face up to the implications of the fact that the Rabie Commission did *not* grasp the nettle of detention without trial. Whether this failure was due to a defect of will or vision on the part of the Commission or more generally of Mr P W Botha's government, or simply to the political clout of the security forces does not really matter. The point quite simply is that Biko, Aggett and all the others will continue to haunt

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SUPPORT: Black Lawyers Association chairman Mr G M Pitje, has come out in support of Turfloop students.

# SP slammed

By CHARLES MOGALE

**THE action of the Security Police in detaining the two students at the University of Turfloop in the northern Transvaal yesterday came under fire from the Black Lawyers' Association.**

In condemning the action, the BLA's chairman, Mr G M Pitje, said in a statement that his organisation aligned itself with the demands made by the students' body.

He said: "The BLA wishes to associate itself with the students' demand that the two students be charged or released forthwith. We consider that this should be the view of all right thinking people in this country. This is what we understand by the rule of law."

**Court**

A Supreme Court ruling in Natal had recently declared the powers vested in the security police by "so-called security legislation" as being draconian.

Mr Pitje said: "The apparent arrogant silence on the part of the Security Police, even in the face of protest by the whole student body over the past few days makes one wonder whether it can't be said that the continued instability at our black campusses is not being encouraged by quarters one would least expect to."

## Human parts found in veld

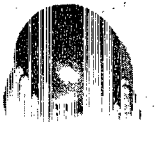
# SHOCK FIND

told that the skull belonged to a wild animal. But already people were beginning to whisper about the strange goings-on.

This week, however, police were called to the outskirts of a Mabopane and Ga-Rankuwa road where an assortment of human bones and de-


YOU CAN'T GET A JOB

IF YOU DON'T KNOW HOW TO DO A JOB



# US award for Neil Aggett

**Mail Reporter**

THE father and sister of Dr Neil Aggett, the trade unionist who died in detention at John Vorster Square in February, left for the United States last night to receive a top human rights award on his behalf.

The American labour movement's highest human rights award, the 1982 George Meany award, will be presented to Mr John Aggett and Mrs Jill Burger at a ceremony in Washington on Tuesday night.

Dr Aggett and Chief Gatsha Buthelezi of KwaZulu were chosen by the American Federation of Labour and Congress of Industrial Organisations (AFL-CIO) for the award.

The posthumous award to Dr Aggett was made "in recognition of his commitment to the cause of the oppressed people of South Africa".

# New directives on detainees?

Political Staff

THE government is preparing to issue directives relating to the conditions under which detainees are held and interrogated, according to the PFP's human rights campaigner, Mrs Helen Suzman.

Mrs Suzman met the Minister of Law and Order, Mr Louis le Grange, at the weekend to discuss the position of banned and detained people in general and to make a plea on their behalf.

She told Mr Le Grange she was "very worried" about statements being made under oath at the inquest of trade unionist Dr Neil Aggett, relating to the conditions of detention and methods of interrogation.

"Mr Le Grange said he was not prepared to discuss the matter but said he was preparing to issue instructions relating to the conditions under which detainees were held and interrogated in accordance with the undertaking he had given during the debate in Parliament earlier this year on the Internal Security Bill," Mrs Suzman said.

Mrs Helen Suzman

"I reminded him that detainees were sometimes never told the reasons for their detention and if they were, were never given an opportunity to refute the allegations the Minister would find in the files submitted to him by the security police," she said.

"The minister assured me that every case received his personal and careful scrutiny before people were restricted," Mrs Suzman said.

She also made a plea on behalf of the Rev C F Beyers Naude, founder and former director of the Christian Institute, and Mrs Winnie Mandela, wife of African National Congress leader Mr Nelson Mandela, both of whom

To page 2

CAPE TIMES 25/10/82

From page 1

are living under banning orders.

The five-year banning order imposed on Mr Beyers Naude on October 19, 1977 expires at the end of this month.

There has as yet been no official indication whether his banning order will be renewed

Mrs Mandela is living under a banning order in the Free State town of Brandfort.

"I told Mr Le Grange that I thought lifting the banning orders on these two South Africans and others would have a great impact on the credibility or otherwise of the government's reformist intentions," Mrs Suzman said.

● Mrs Suzman said she would take up the position of Barbara Hogan, who last week became the first white woman to be convicted of high treason in South Africa.

Hogan was sentenced to an effective 10 years' imprisonment.

"I intend to discuss her position with the Minister of Justice, Mr Kobie Coetsee, in the near future.

"Miss Hogan will be the only white woman in the prison and I am concerned that she will be kept in total isolation," Mrs Suzman said.

(Report by John Battersby, 77 Burg Street, Cape Town)

# Revised plan for detained people

BY JOHN BATTERSBY
Political Correspondent

CAPE TOWN. — The Government is preparing to issue directives relating to the conditions under which detainees are held and interrogated, according to the PFP's human rights campaigner, Mrs Helen Suzman.

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"The Minister assured me that every case received his personal and careful scrutiny before people were restricted," Mrs Suzman said.

Mrs Suzman also made a plea on behalf of the Rev C F Beyers Naude, founder and former director of the Christian Institute, and Mrs Winnie Mandela, wife of African National Congress leader, Mr Nelson Mandela, who are living under banning orders.

Mrs Suzman told the Rand Daily Mail she would take up the position of Barbara Hogan, who last week became the first white woman to be convicted of high treason in South Africa.

# SP shifts man who questioned Aggett

By Mike Cohen

Chief Johannesburg Security Police interrogator, Major Arthur Cronright, involved in questioning Dr Neil Aggett and the recently convicted Barbara Hogan, has been transferred to the Krugersdorp Security Branch from the end of the year.

The announcement was made at the weekend by Lieutenant-General Johan Coetzee, acting Commissioner of Police and Chief of the South African Security Police.

In his statement he praised Major Cronwright for his outstanding service at John Vorster Square over the past eight years.

His career at Johannesburg police headquarters culminated in the conviction and sentence to 10 years of Barbara Anne Hogan in the Rand Supreme Court on charges of high treason.

Major Cronwright was in charge of the interrogation team who questioned Dr Neil Aggett, who was found hanged in his John Vorster Square cell early this year.

# Where is proof of 'conspiracy'?

"Country-wide conspiracy against the State" thundered the Minister of Law and Order a few months after the detentions by the Security Police in the latter part of 1981, speaking in justification of those detentions, and forecasting court cases which would show the public of South Africa how total that onslaught against their safety was.

"Dagger thrusts in water" is how we then qualified those court cases to come. And what have we had thus far? Only Barbara Hogan's trial, which in our opinion could not have taken place in any civilised western country.

Meanwhile, innocent people have died in detention, and 70 cases of alleged torture have been submitted to the Minister.

No attempt has been made, that we know of, to investigate such tragic happenings or to fine the culprits.

We therefore held a further public meeting, on October 18.

At this meeting Professor Frances Ames, professor of neurology at the University of Cape Town, gave a dispassionate analysis of the devastating consequences of solitary confinement on the average human being, and Dr Ismail Mohamed, as a member of the DPSC, lamented the level of bestiality our society seems to have sunk to in allowing, without revulsion and massive protest, torture, deaths in detention, mysterious disappearances of people.

The meeting then unanimously adopted the following resolution:

**Noting:** A, that the Detainees' Parents Support Committee has compiled a memorandum containing 70 allegations by former detainees of systematic physical and psychological torture by members of the Security Police.

B, that this memorandum has been submitted to the Minister of Police in fulfilment of the terms of an investigation into these allegations by the CID.

C, that the DPSC has submitted a further memorandum outlining the medical consequences of such methods of torture to the Ad Hoc Committee of the Medical Association of South Africa.

**Believing:** A, that the allegations contained in these memorandums are the true records of the conditions under which detainees are being held in South Africa including the so-called "independent" homelands.

B, that the deaths of Linda Dlodlo, Moabe Dipale, Tshifiwa Moufhe and others were the direct result of their being held under such conditions.

C, that the disappearance of Siphiwe Mtimkulu poses a series of questions to which we demand answers.

**We resolve:** Firstly, to work for the repeal of all security legislation and the release of all detainees and political prisoners.

Secondly, in the short term, to work for the recognition of detainees' rights of access to legal advice; to medical practitioners independent of the Security Police; to receive weekly visits from family members; to receive weekly food and clothing parcels; to receive reading and study material of their own choice; to be questioned according to the code of conduct for the Security Police contained in the DPSC's recommendations to MASA.

Thirdly, to continue to focus public awareness on the unjust, inhuman and undemocratic security laws.

# Standing ovation for the Aggetts

Oct. 1982

By Neil Lurssen, The Star Bureau

WASHINGTON — Mr Aubrey Aggett and his daughter, Mrs Jill Burger, were given a standing ovation last night when they received on behalf of their son and brother, Dr Neil Aggett, a human rights award from America's most powerful labour organisation.

The late Dr Aggett was one of two South Africans to receive the George Meany Award from the American Federation of Labour and Congress of Industrial Organisations (AFL-CIO). The other was Chief Gatsha Buthelezi, Chief Minister of kwaZulu.

The awards were made at a dinner attended by labour leaders, government officials, ambassadors, and civic dignitaries, including the mayor of Washington, Mr Marion Barry.

With what sounded like a catch in his voice, Mr Aggett told the gathering it was a great honour to accept the award for his late son.

Mrs Burger said that as the inquest into her brother's death was still under way, she had no wish to prejudice the case. She could not comment specifically on the culpability or otherwise of the Security Police in regard to his death or on evidence in court.

She added: "One can only condemn in the strongest terms the legislation introduced by the South African Government which allows a handful of security policemen to detain without trial in solitary confinement and treat in any way they see fit, people whose ideologies conflict with their own."

She said it was a sad occasion for her, knowing that her brother had had no conception during his life of the recognition of the value of his work.

**Dr Neil Aggett . . . posthumous winner.**

In South Africa, she said, trade unions were forced by the nature of the society to respond to issues and thus could not remain totally apolitical. The black trade unions, having developed significantly in the 70s had expressed militant opposition to the Government's attempts to dictate to them how to organise themselves.

"One can surmise therefore that the reason Neil was considered such a threat by the State was that he was a prominent figure in this development of an independent grouping of progressive black unions," Mrs Burger said.

**Mr Aggett . . . asked his daughter to speak.**

To the Aggett family, she said, the 70-day period of detention was a nightmare. Knowing that a loved one was being held at the mercy of policemen who were accountable to no one, was an agonising experience.

"There wasn't an hour when I didn't think of him — sitting alone in his grim cell when I enjoyed the freedom of going where and when I wanted in the glorious sunshine."

His death had realised their nightmares and the "appalling truth of what detention actually means came home to us." The waste of his young life had saddened a great number of people in South Africa and the world.

To this day, Mrs Burger said, the Aggett family had received no official confirmation of Neil's death nor any official expressions of sympathy.

She said many blacks throughout South Africa were heartened by the fact that there were whites who believed in them and who were working towards a just and democratic society despite the risks and knowing the price that they might be asked to pay — the price her brother had ultimately paid.

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# Aggett like a zombie – witness

By Michael Tissong

A former detainee, Mr Auret van Heerden, today told the inquest into the death of Dr Neil Aggett, that the day before Dr Aggett died Dr Aggett had "looked like a zombie" and that he had feared that Dr Aggett might have been suicidal.

Earlier the presiding magistrate, Mr P Kotze, ruled that Mr van Heerden and a district surgeon, Dr Norman Jacobson, be called to testify.

Mr Kotze ruled against the admissibility of evidence by several former detainees, including Barbara Ann Hogan, the Rev Frank Chikane and Mr Monty Narsoo.

Dr Aggett was found dead in his cell on February 5.

Mr van Heerden said that on February 4 he had met Dr Aggett in a passage.

"He was walking in a slumped manner. I greeted him enthusiastically and he looked up at me.

"There was no recognition in his eyes. He tried to wave but just flicked his wrist. He looked like a zombie. He also looked depressed.

"He seemed to shuffle along and his response to things around him was removed. That evening I felt that Neil could be suicidal, but I was powerless to do anything from my cell.

"I resolved that the next morning I would tell Major Arthur Cronwright that Dr Aggett was looking suicidal and that he should do something about it.

"That night I woke up and heard shuffling in the passage. That confirmed the worst I had feared. I later found that Dr Aggett was dead. That day I had to type out a statement about what I knew," he said.

Mr van Heerden said he realised a week earlier that Dr Aggett was being interrogated intensively.

"On Friday, January 29, I was taken out of my cell in the morning and Neil's cell was empty. He did not come back on Saturday and I sensed there was someone in the cell only on Sunday.

"When I saw him to speak to him he indicated that he did not want to speak. I insisted and he said he had been kept awake and given electric shocks.

"He said they forced him to admit that he had links with the South African Congress of Trade Unions and that he was a communist.

"He said the police must not ask him more questions and he burst into tears."

(Proceeding)

Star 26/10/82

# US honour for Aggett, Buthelezi

The Star Bureau

WASHINGTON — Dr Neil Aggett, who died in detention in South Africa in February, and the Chief Minister of KwaZulu, Chief Gatsha Buthelezi, will be honoured here tonight by the biggest trade union organisation in the United States.

They share the George Meany Human Rights Award presented annually by the American Federation of Labour and Congress of Industrial Organisations.

An AFLCIO spokesman said today the award was presented to one or more individuals who exemplified the struggle for human rights to which the late labour leader Mr George Meany had devoted his life.

Dr Aggett and Chief Buthelezi were chosen in recognition of their advocacy of black rights in South Africa.

Chief Buthelezi has come to Washington to receive his award. Dr Aggett's will be received by his father and his sister, Mrs Jill Burger.

The award consists of a silver medallion and R5 200.

Mr Aggett said today he had been deeply touched by the kindness and the consideration shown to him and his daughter by people he had met here.

Unless otherwise stated, all political reports in The Star by P Sullivan of 47 Sauer Street, Johannesburg. A E G Wentzel, F S Esterhuyse and L Parker of 122 St George's Street, Cape Town, B Cameron of 85 Field Street, Durban, and L H Marshall of 216 Vermeulen Street, Pretoria. Cartoons by A Berry, D Fedler and K Smith of 47 Sauer Street, Johannesburg, and J Leyden and G Muller of 85 Field Street, Durban. Headlines and posters by Johan de Villiers, and political comment by H W Tyson of 47 Sauer Street, Johannesburg.

Mr Auret van Heerden, centre, chats to another former detainee, Dr Liz Floyd, and his lawyer, Mr Gilbert Marcus, outside the court before the inquest into the death of Dr Floyd's boyfriend, Dr Neil Aggett, re-opened yesterday. Mr Van Heerden gave evidence yesterday.

Picture: GREG ENGLISH

(329) Rom 26/10/82

# 'Aggett could not be woken after 62-hour probe'

By ANTON HARBER

DR NEIL Aggett could not be woken to eat his meals on the day after a 62-hour interrogation session in John Vorster Square, the Johannesburg Regional Court heard yesterday.

Mr Auret van Heerden, a former Nusas president who was released in July after almost 10 months in detention, was giving evidence at the inquest into the death of the trade unionist.

Mr Van Heerden, who occupied a cell opposite Dr Aggett's, also said the unionist had told him shortly before his death that he had been "broken" by the interrogation session, during which he had been given electric shocks, deprived of sleep and made to stand for long periods.

Dr Aggett had burst into tears and said: "They must just not ask me any more questions."

Mr Van Heerden added that he was so struck by the deterioration of Dr Aggett — "who looked for all intents and purposes like a zombie" — in the next few days that he had decided to tell the Security Police that the trade unionist could be suicidal.

That night he heard a commotion outside his cell and he knew "the worst had happened".

He also said he had made a statement about this during his detention — a statement that has not been mentioned in court before. Major Arthur Cronwright, the head of the interrogation team, had told him he was not going to submit the statement to the inquest since it was his duty to protect his men.

Mr Van Heerden, who said he had been threatened in connection with his evidence, added that Dr Aggett believed his interrogators were preventing him from seeing a doctor after he had been assaulted on January 4.

He told the court of a conversation he overheard when an officer was planning shifts on a Friday, January 29 — the weekend when Dr Aggett was interrogated for 62 hours.

When another policeman complained that it was difficult for him to work on the Sunday, the officer had replied: "Kyk, ek glo nie hy sal so lank hou nie". Mr Van Heerden believed they were referring to Dr Aggett.

Earlier the magistrate, Mr Petrus Kotze, ruled that Mr Van Heerden could not testify on allegations of his own torture. He also ruled that six other former detainees should not be called.

Mr Van Heerden, a 27-year-old industrial sociology student, said he had known Dr Aggett since 1978.

They had been able to talk often about their interrogation, and Mr Van Heerden had been able to advise him on how to cope with the questioning.

□ To Page 2

P.T.O.

# 'War of attrition on Aggett' court told

ARGUS 26/10/82

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Argus Correspondent

JOHANNESBURG. — A former detainee who communicated regularly with Dr Neil Aggett in detention told a Johannesburg court today that Dr Aggett believed one of his interrogators, Lieutenant Stephen Whitehead, was conducting a war of attrition against him.

Mr Auret van Heerden was giving evidence at the inquest on Dr Aggett, who was found dead in his cell at John Vorster Square on February 5.

Mr van Heerden told the court Dr Aggett said some of his privileges were withdrawn and then reinstated a few days later.

**"DEPRIVED"**

"Neil said he felt he was also being deprived of books he had requested. He had asked for books to write his surgery exams and he felt the books were being withheld from him," Mr van Heerden said:

"After Dr Aggett had been missing from his cell for more than two days, he told me of his interrogation for 62 hours and of torture.

"Earlier he had told me of an incident in January when he was taken into an office and was told by the Security Police they were unhappy with the statement he had made.

"At that stage he was warned to expect a rough time. When he was not returned to his cell and I overheard a policeman say 'He won't hold out for very long', I knew him to be referring to Neil.

"The day I sensed that Neil was back in his cell, I noticed he did not take his meals. His food was untouched in the doorway of his cell.

"The following day, a Monday, I saw him. I greeted him and he hesitated. Once I was able to convince him to talk, he told me he had been broken.

"He said he was kept awake and made to stand for two days and nights.

"He indicated to me with his hands something like the breaking of a twig. He also tapped his wrists,flicked his fingers and whispered that he had been shocked. He also signalled that he had been beaten.

"He said the police forced him to admit he had links with the South African Congress of Trade Unions and to say he was a communist.

**"TEARS"**

"As he was saying that the police must not ask him any more questions, he burst into tears."

Mr Van Heerden said he did not find Dr Aggett's behaviour strange.

"I do not find anything a detainee does after a couple of months in detention strange."

In earlier evidence Mr van Heerden said he had been kept in solitary confinement in a cell opposite Dr Aggett.

Mr van Heerden told the court that he had to write a statement about what he knew of Dr Aggett's death. "I have come to court under considerable strain, because while I was in detention, I was threatened about what I knew," he said.

# Aggett spoke of 'war of attrition'

By Michael Tissong

A former detainee who communicated regularly with Dr Neil Aggett in detention told a Johannesburg inquest court today that Dr Aggett believed one of his interrogators, Lieutenant Stephen Whitehead, was conducting a war of attrition against him.

Mr Auret van Heerden was giving evidence at the inquest on Dr Aggett, who was found dead in his cell at John Vorster Square on February 5.

Mr van Heerden said Dr Aggett had said some of his privileges were withdrawn then reinstated a few days later.

"Neil said he felt he was also being deprived of books he had requested. He had asked his care group for books to write his surgery exams, and he felt that the books were being withheld from him."

Mr van Heerden said that after Dr Aggett had been missing from his cell for more than two days, "he told me of his interrogation for 62 hours and of torture.

"Earlier he had told me of an incident in January when he was taken into an office and was told by the Security Police that they were unhappy with the statement he had made.

"At that stage, he was warned to expect a rough time. When he was not returned to his cell and I overheard a policeman say 'he won't hold out for very long' I knew him to be referring to Neil."

A few days later Dr Aggett told Mr van Heerden "he had been broken."

"He said he was kept awake and made to stand for two days and nights. He whispered that he had been shocked. He also signalled that he had been beaten.

He said the police forced him to say that he had links with the South African Congress of Trade Unions and to say he was a communist.

"As he was saying that the police must not ask him more questions, he burst into tears."

Mr van Heerden said he did not find Dr Aggett's behaviour strange. "I do not find anything strange that a detainee does after a couple of months in detention."

(Proceeding)

# US union honours Aggett, Buthelezi

ARGUS 26/10/82

Argus Bureau

WASHINGTON. — Dr Neil Aggett, the trade unionist who died in detention in South Africa in February, and the Chief Minister of Kwazulu, Chief Gatsha Buthelezi, are to be honoured here tonight by the biggest trade union in the United States

They share the George Meany Human Rights Award presented annually by the American Federation of Labour and Congress of Industrial Organisations, an influential body throughout the country.

The award was made for the first time last year to Solidarity, the now-banned Polish trade union. Solidarity's leader, Lech Walesa, was unable to attend the ceremony and was detained shortly afterwards.

An AFL-CIO spokesman said the award was presented annually to one or more individuals who exemplified the struggle for human rights to which the late labour leader George Meany devoted his life.

Dr Aggett and Chief Buthelezi were chosen this year, he said, in recognition of their advocacy of black rights in South Africa.

An artist's impression of Mr Auret van Heerden giving evidence to the Aggett inquest yesterday. The former detainee spent two days giving evidence.

# SP threatened me, says Aggett witness

By ANTON HARBER

A FORMER detainee told the Aggett inquest yesterday that Security Police had threatened to charge, jail, then ban and house arrest him if he gave evidence at the inquest.

And a district surgeon, who examined another detainee who complained of electric shock torture — and who had scars that could have supported his claim — admitted he failed to send the man for tests to check his allegation.

Mr Auret van Heerden, a former detainee, told the inquest into the death of Dr Neil Aggett that Security Policemen had threatened repercussions if he gave evidence.

He also told the court that his testicles had been crushed and had been strangled "to the point where he thought he would die" during his interrogation.

Mr Van Heerden, giving evidence in the Johannesburg Regional Court for the second day, said he was still being victimised by the Security Police, but did not elaborate.

A former Nusas president and post-graduate student in industrial sociology, Mr Van Heerden told the court that Dr Aggett had feared that other detainees, particularly his girlfriend, Dr Liz Floyd, would be interrogated as a result of things he had been forced to say while being questioned.

Mr Van Heerden said he had hesitated before acting on his belief that Dr Aggett may have become suicidal while in detention because he feared reaction from the Security Police.

When Mr Pieter Schabort, SC, for the Minister of Law and Order, suggested it was impossible he could have such suspicions and still sleep easily, Mr Van Heerden replied: "That is an easy thing to assert in a court. You must try and place yourself in a cell where you are powerless and have no ability to change anything."

Mr Schabort said it was strange that Dr Aggett had not complained that he had been shocked through his testicles, as he had told Mr Van Heerden.

"I don't find anything a detainee does after a few months in solitary confinement strange," he replied.

Asked whether he had been in solitary confinement, Mr Van Heerden said: "When a person spends 289 days alone in his cell, I don't know what else you can call it".

Mr Schabort put it to Mr Van Heerden that his evidence was largely an attempt to slur the police and to rehabilitate his own name, since he was embarrassed by his army service and by rumours that he was a police spy and was going to give evidence for the State at a coming security trial.

"If you say I am here to slur the police, all I can say is that the truth is often embarrassing," Mr Van Heerden replied.

Dr Norman Jacobson, a Johannesburg district surgeon, told the inquest he had found scars that could have been caused by electric shocks on the arms of former detainee Mr Shirish Nanabhai.

Mr Nanabhai had told him that security policemen had beaten him, covered his head, wrapped bands around his upper arms and given him electric shocks.

He had also found a small circular scar on both of the detainee's arms and had called his superior to give an opinion on the cause of the scars. He told the court it was difficult to give the exact cause of the wounds but they "could have come from electric shocks".

Asked by Mr George Bizos, SC, for the Aggett family, why he had not taken the detainee for further tests which may have been more conclusive, Dr Jacobson said he could not explain this.

The hearing continues.

# Standing ovation for Aggett award

ARGUS 27/10/82

**Argus Bureau**

WASHINGTON. — Mr Aubrey Aggett and his daughter, Mrs Jill Burger, were given a standing ovation here last night when they received on behalf of their son and brother, Dr Neil Aggett, a human rights award from America's most powerful labour organisation.

Dr Aggett, the trade unionist who died in detention in February, was one of two South Africans to receive the George Meany award from the American Federation of Labour and Congress of Industrial Organisations (AFL-CIO). The other was Chief Gatsha Buthelezi, Chief Minister of Kwazulu.

**CONDEMN**

Mrs Burger said that as the inquest into her brother's death was still under way she could not comment specifically on the culpability or otherwise of the Security Police in regard to his death nor on evidence heard in court.

She added: "One can only condemn in the strongest terms the legislation introduced by the South African Government which allows a handful of security policemen to detain without trial in solitary confinement and treat in any way they see fit, people whose ideologies conflict with their own."

In South Africa, she said, trade unions were forced by the nature of the society to respond to issues and thus could not remain totally apolitical. The black trade unions, having developed significantly in the seventies, had expressed militant opposition to the Government's attempts to dictate to them how to organise themselves.

"One can surmise therefore that the reason Neil was considered such a threat by the State was that he was a prominent figure in this development of an independent grouping of progressive black unions," she said.

Mr Lane Kirkland, president of the giant AFL-CIO, said: "It is a tribute to the human spirit that, even in a country like South Africa, there are men and women of courage across the colour line who dare challenge the oppressor, undeterred by the consequences."

Chief Buthelezi, in his acceptance speech, hit out against the anti-apartheid "posturing" of black South Africans who live in exile overseas.

He said black South Africans sought moral pragmatism instead.

"Inside South Africa, we are intimately aware that poverty is not alleviated by ideologists. I appeal to our black brothers and sisters in exile to realise that mass support at home is not going to be achieved by ideological posturing abroad."

# 'Detainee guarded 24 hours a day'

Argus 27/10/82

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Argus Correspondent

JOHANNESBURG. — Major Arthur Cronwright, who headed several security interrogations at John Vorster Square, told an inquest court here today that security policemen had guarded a detainee for 24 hours a day for a week because he had threatened to commit suicide.

Major Cronwright, who was recalled to give evidence at the inquest into Dr Neil Aggett's death, said that Mr Premanathan Naidoo had threatened to take his own life.

He said he contacted a Lieutenant Venter who was in control of the interrogation. Lieutenant Venter and other security policemen took shifts in guarding Mr Naidoo.

### Third degree

Major Cronwright said he was aware that Mr Naidoo later alleged that he was kept under interrogation with short breaks for almost a week.

Counsel for the Aggett family, Mr George Bizos, put it to Major Cronwright that the suicide version was an attempt to avoid the accusation that third-degree methods were being used to interrogate Mr Naidoo.

Major Cronwright denied this. He also denied that he had assaulted another detainee, Mr Sisa Njukelana. He also denied that he had threatened Mr Auret van Heerden in detention.

### WARNED

Earlier Mr van Heerden, who was in detention with Dr Aggett, told the court he was warned by Major Cronwright that if he spoke of what he knew of Dr Aggett's death, he would be jailed and banned and house-arrested on his release.

Mr van Heerden said he made a statement concerning Dr Aggett's death in detention on February 5. Mr van Heerden and Dr Aggett had cells opposite each other.

Mr van Heerden told the Johannesburg inquest court that Major Cronwright told him that he was not going to make the statement available to the inquest because "his men were doing a good job in preventing terrorism in the country".

### THREATS

"He warned me that if I said something about what I knew, the police would use information against me, have me jailed and on my release I would be banned and house arrested."

Mr van Heerden said that when he was asked to make a statement to an advocate, Mr J Swanepoel, "threats were made against me by various members of the security police if I revealed the information to the court or to Mr Swanepoel.

"The policemen, including Captain Andries Struwig, Major Cronwright and Lieutenant Hendrik Pitout, said I would suffer severe consequences.

"Sergeant Cornelus van Aswegen, who took me to Mr Swanepoel's chambers, warned me that I should not think that I could tell Mr Swanepoel things about Neil's detention without them knowing, because the converstation would be taped."

(Proceeding.)

(Contd from Page 1)

Argus 27/10/82

MIDWEEK PROPERTY

SEE page 10 in today's classified section.

The Argus TONIGHT

FEATURED in Tonight — Raffles to reopen as a "lasertheque".

Lamb 3 meal 2kg

# Butcher, baker, fiddles

Staff Reporter

GOSH, I hope they don't subsidise anything else between now and Christmas . . . I can't afford the increase in prices.

I almost kissed my TV set when a lot of people with great influence in meat circles and very bad grammar told me that the Meat Board was subsidising meat to the tune of R6-million.

But, lo and behold, meat cost me more today than it did last week.

I don't even know why this state of affairs still surprises me. After Mr Owen Horwood went on TV to speak of the new GST I should have known better.

He told us that part of the GST would be used to subsidise bread prices. When next I looked, bread was up 25 percent . . . plus the new 6 percent GST.

It's like the ... ous cheese glut ... years ago. To g... this surplus ch... put up the price.

Oh, I know t... "other factors a... the economy." ... them is me.

Every time th... dise something ... fares or bread ... or every time th... the consumer th...

*THE new owner of Dwarsriviershoek, Mr Derric Wilson, le... trustee of Mrs Rycroft's estate. (Report pa...*

Argus 27/10/82

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# 'Atlantis ready for dev...

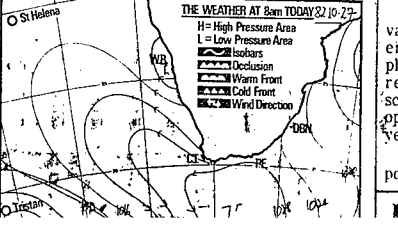
THE Atlantis industrial area in the Western Cape has now reached the stage for more sophisticated development, according to the Deputy Minister of Industrial Affairs, Mr A A Venter.

Speaking at the opening of a new R1,8-million building in the area, Mr Venter said Atlantis was no longer an industrial area only, but had developed the needs an... quirements of a to...

Industrialists ... workers in the area ... ed facilities such a... taurants, medical ... vices, attorneys ... travel agencies, he ...

Mr Venter said th... vate sector had be... en the opportunit... play a bigger role ... regional develop... scheme which came ... operation on April ... year.

It was therefor... pected that not on...



# Security man tells court of 'suicide guard'

Major Arthur Cronwright, who headed several security interrogations at John Vorster Square, told a Johannesburg inquest court today that a detainee was guarded by security policemen for 24 hours a day for a week because he had threatened to commit suicide.

Major Cronwright, who was recalled to give evidence at the inquest on Dr Neil Aggett, said Mr Premanathan Naidoo had threatened to take his own life.

A Lieutenant Venter, who was in control of the interrogation, and other security policemen then took shifts in guarding Mr Naidoo.

Major Cronwright said he was aware that Mr Naidoo later alleged that he was kept under interrogation with short breaks for almost a week.

Counsel for the Aggett family, Mr George Bizos, put it to Major Cronwright that the suicide version was an attempt to avoid the accusation that third-degree methods were being used to interrogate Mr Naidoo. Major Cronwright denied this.

He also denied that he had assaulted another detainee, Mr Sisa Njikelana, or that he had threatened Mr Auret van Heerden in detention.

Yesterday, Mr van Heerden said he was warned by Major Cronwright that if he spoke of what he knew about Dr Neil Aggett's death, he would be jailed, then banned and put under house-arrest on his release.

Mr van Heerden said he made a statement about Dr Aggett's death in detention on February 5. Mr van Heerden and Dr Aggett had cells opposite each other.

Mr van Heerden told the inquest that Major Cronwright told him he was not going to make the statement available to the inquest because "his men were doing a good job in preventing terrorism in the country."

Mr van Heerden said when he was asked to make a statement to an advocate, Mr J Swanepoel, "threats were made against me by various members of the Security Police if I revealed the information to the court or to Mr Swanepoel."

(Proceeding)

# Police inquiry on Aggett too slack'

Argus Correspondent

JOHANNESBURG. — Counsel for the Aggett family, Mr George Bizos, today suggested in a Johannesburg inquest court that the police officer who investigated the death of Dr Neil Aggett did not conduct his investigation with the necessary vigour.

Mr Bizos accused Captain Carel Victor of "merely collecting statements of denial from police officers involved in the alleggations of assaulting Dr Aggett".

Dr Aggett was found dead in his cell at John Vorster Square on February 5.

**CELL**

Captain Victor, who is attached to the Criminal Investigation Department, said he was on duty on February 5 and went to Dr Aggett's cell after he heard of the death.

He conducted the subsequent investigation. He approached Major Arthur Cronwright for names of people who were with Dr Aggett.

Captain Victor agreed with Mr Bizos that Major Cronwright had a conflicting interest in the investigation of the case.

"It is possible that Major Cronwright could have tried to protect his men," he said.

**"ASSAULT"**

Captain Victor said he found out that a security policeman, a Sergeant Mapope, was present during an alleged assault on Dr Aggett.

"I did not approach Sergeant Mapope because Major Cronwright said he knew nothing of the assault."

Under cross-examination Captain Victor admitted: "I cannot say this is the most correct way of investigating a case."

Mr Bizos contended that Captain Victor "was not the investigating officer in this case but Major Cronwright. It is not enough for an investigating officer to be appointed to collect statements from interested people.

"An investigating officer does not wait for statements to be given to him but he should go out for them," he said.

**DETAINEES**

Captain Victor said he did not ask detainees on the second floor of John Vorster Square for statements because "I understood that I had no access to Section 6 detainees."

Mr Bizos put it to Captain Victor that according to the Terrorism Act he did have access to a detainee. He said Captain Victor should have approached detainees in nearby cells to establish whether they knew anything of Dr Aggett's death.

Captain Victor said he was not aware that he had access to detainees.

(Proceeding.)

# Electrode produced at inquest

329 CAPE TIMES 28/10/82

Own Correspondent

JOHANNESBURG. — A small electrode, produced in a dramatic moment at the Aggett inquest yesterday, roughly matched the wounds found on a detainee who had complained of electric shock torture, the court was told.

The electrode — borrowed from a physiotherapist — was produced by Mr George Bizos SC, for the family of Dr Neil Aggett, who was found hanged in his John Vorster Square cell on February 5.

The magistrate immediately recalled to the witness box Dr Norman Jacobson, the district surgeon who saw the wounds on the detainee, Mr Shirish Nanabhai.

Dr Jacobson told the inquest on Tuesday how he had found "circular, punctate (marked with dots) scars the size of 10c pieces" on both of Mr Nanabhai's upper arms when he had visited him in detention.

## Interrogation

Nanabhai had complained of receiving electric shocks through his arms during his interrogation.

Back in the witness box yesterday, Dr Jacobson was presented with the instrument, described by Mr Bizos as a button electrode used by physiotherapists to treat wasting of muscle with electric currents.

Dr Jacobson agreed that the electrode was also the size of a 10c piece, and was covered with a punctate cloth designed to prevent the current burning the skin. The cloth was more punctate than Mr Nanabhai's wounds, the district surgeon said.

## Possibility

He said there was "a distinct possibility" that this was the instrument which caused Mr Nanabhai's wounds.

The electrode was freely available to physiotherapists and hospitals, he said.

Cross-examined by Mr Pieter Schabort, SC, for the Minister of Law and Order, the district surgeon admitted he had never seen this instrument before and had no expert knowledge about its use or effects.

Major Arthur Cronwright, head of the John Vorster Square interrogation team, was also recalled to the witness box.

## Recording

He said he had asked for a conversation between a former detainee, Mr Auret van Heerden, and the Deputy Attorney-General to be tape-recorded because he did not trust Mr Van Heerden and thought he might change his statement.

The deputy attorney-general had given him the tape afterwards, but it was blank. Major Cronwright denied asking what Mr Van Heerden had said.

Mr Bizos asked why he suddenly lost interest in what Mr Van Heerden had said. Major Cronwright denied that it was because he already knew what was said.

He also denied allegations that he had taken part in assaults on other detainees.

## Attitude

"I put it to you that you and your colleagues have adopted an attitude to your evidence — that you would admit only what was proved beyond reasonable doubt and would deny anything that reflected badly on you," Mr Bizos said. The submission was denied.

He also denied a suggestion that the security police consider themselves "immune from ordinary legality, because of the important work you do".

The proceedings continue this morning.

SOWETAN, Thursday, October 28, 1982 Page 3.

# Detainee tells of threats

329

**A FORMER detainee, Mr Auret van Heerden, said he was warned by Major Arthur Cronwright that if he spoke of what he knew of Dr Neil Aggett's death, he would be jailed, banned and house-arrested on his release.**

Mr van Heerden said he made a statement concerning Dr Aggett's death in detention on February 5. Mr van Heerden and Dr Aggett had cells opposite each other.

Mr van Heerden told the Johannesburg Inquest Court that Major Cronwright told him that he was not going to make the statement available to the inquest because "his men were doing a good job in preventing terrorism in the country".

"He warned me that if I said something about what I knew, the police would use information against me, have me jailed and on my release I would be banned and house-arrested."

Mr van Heerden said that when he was asked to make a statement to an advocate, Mr J Swanepoel, "threats were made against me by various members of the Security Police if I revealed the information to the court or to Mr Swanepoel.

**Mr van Heerden was a leftist activist. He would have twisted what I had said. So I said nothing! — Lieutenant Pitout on Aggett's death.**

"The policemen, including Captain Andries Struwig, Major Cronwright and Lieutenant Hendrik Pitout, said I would suffer severe consequences.

"Sergeant Cornelus van Aswegen who took me to Mr Swanepoel's chambers warned me that I should not think that I could tell Mr Swanepoel things about Neil's detention without them knowing, because the conversation would be taped."

Mr van Heerden said he did not know the taped conversation was handed to Major Cronwright. "Major Cronwright was angry that I had mentioned the existence of the previous statement I had made."

Mr van Heerden said that in detention, he was questioned about whether he had any links to the African National Congress.

He said Major Craig Williamson who was a spy in the ANC, had tried to recruit him into the ANC.

The district surgeon of Johannesburg, Dr Norman Jacobson, told the court that two former detainees, Mr Shirsh Nanabhai and Mr Jabu Ngwenya, who were examined by him, had injuries on their arms.

**"The policemen, including Captain Andries Struwig, Major Cronwright and Lieutenant Hendrik Pitout, said I would suffer severe consequences."**

The men had multiple scab wounds the size of a ten cent piece.

The circular wounds had about 15 to 20 punctures. They had one wound on each upper arm.

Dr Jacobson said he had never seen this type of injury before. Mr Nanabhai told him he had been shocked.

Lieutenant Pitout told the court that on February 5, Mr van Heerden asked whether Dr Aggett had died.

Lieutenant Pitout said he did not comment.

Mr van Heerden was a leftist activist and these type of people are masters of manipulation. He would have twisted what I had said. So I said nothing", he said.

# Tragedy takes two to Washington

Star 28/11/82 329

**Neil Lurssen of The Star's Washington Bureau talks to the father and sister of Dr Neil Aggett.**

The most disturbing thing about them is just how ordinary they seem: an elderly, retired businessman and his bright, attractive married daughter, straight out of comfortable South African suburbia.

Their mutual affection is obvious as, like millions of visitors before them, they do the tourist rounds in Washington.

And, when they return to their hotel in the late afternoon, they talk about the family back home, how much they miss them and how they wish they were with them.

But Aubrey Aggett and his daughter, Mrs Jill Burger, are not

**Aubrey Aggett . . . a health problem.**

ordinary visitors. The reasons for their presence in Washington are rooted in a tragic episode in a South African prison cell in February when their son and brother, Neil, was found dead.

It is an episode which has affected their lives forever — and it brought them to Washington this week to accept an award from the largest labour organisation in the US in honour of Dr Neil Aggett.

As one sits in the lobby of the Capitol Hilton in downtown Washington chatting with them, one wonders what the Americans bustling about, coming and going without really noticing these visitors, would make of their story.

What would they say cess to family members or legal representatives, and with no question of bail?

What would they do if that person should then join a long list of people who have died while in the custody of the State?

Is it conceivable that such a thing could occur in the US where no person is denied access to legal advice, whatever crime he or she is alleged to have committed?

Would it inspire an outcry as loud as that depicted in the movie "Missing" which told in dramatised form the story of an American father's determination to uncover the facts of his son's death in Chile?

Probably — but only after the initial disbelief had gone.

The name Aggett is relatively unknown in America at present. Maybe after this week's award and the attendant publicity it will be more easily recognisable.

For the Aggett family, recognition of their tragedy is encouraging, but what really counts for them is their determination to see that the due process of law runs its course through to the end.

When it became clear to Mr Aggett that his legal costs would be heavy, he called his surviving son and daughter together and told them they should decide whether their inheritance should be spent on those costs. There was no hesitation in the reply.

So far, Mr Aggett has spent more than R50 000 in the pursuit of the facts about his son's death. There have been numerous air flights to pay for, too, starting with the time of the funeral.

But the financial burden has been only part of his difficulties. In the nine months since Neil's death, Mr Aggett's health has believes was brought on by the shock of learning of his son's death.

Still, he perseveres — this courteous, friendly, conservative man who at the age of 70 found himself pitchforked into a situation as bizarre as it was unexpected.

# Aggett death probe 'was not vigo

By Michael Tissong

Counsel for the Aggett family, Mr George Bizos, suggested in a Johannesburg Inquest Court today that the police officer who investigated the death of Dr Neil Aggett did not conduct his inquiries vigorously enough.

Mr Bizos accused Captain Carel Victor of merely collecting statements of denial from police officers allegedly involved in assaulting Dr Aggett.

Dr Aggett was found dead in his cell at John Vorster Square on February 5.

Captain Victor, who is attached to the Criminal Investigation Department, said he was on duty on February 5 and went to Dr Aggett's cell after he heard of the death.

He conducted the subsequent investigation. He approached Major Arthur Cronwright for names of people who were with Dr Aggett.

Captain Victor agreed with Mr Bizos that Major Cronwright had conflicting interest in the investigation of the case.

"It is possible that Major Cronwright could have tried to protect his men," he said.

Captain Victor said he found out that a Security Policeman, a Sergeant Mapope, was present during an alleged assault on Dr Aggett.

"I did not approach Sergeant Mapope because Major Cronwright said he knew nothing of the assault," the captain said.

Captain Victor said: "I cannot say this is the most correct way of investigating a case."

Mr Bizos contended

## 'ous enough'

Star 28/10/82 329

that it was not Captain Victor, but Major Cronwright who had been the investigating officer in the case.

"It is not enough for an investigating officer to be appointed to collect statements from interested people," he said.

"An investigating officer does not wait for statements to be given to him, but he should go out for them."

Captain Victor said he did not ask detainees on the second floor of John Vorster Square for statements because "I understood that I had no access to Section 6 detainees."

**East Rand Bureau**

A security policeman told a Benoni regional magistrate yesterday that several of the cars he is accused of stealing were found abandoned on a scrap heap in Tembisa, Kempton Park.

Captain Jacob Emmanuel van Wyk (36) and Sergeant Johannes Leopoldus Gouws (27) both security policemen, have pleaded not guilty to nine counts of theft, nine alternative counts of using motor vehicles without the owners' consent, seven alternative counts of stealing parts from vehicles and seven alternative counts of tampering with vehicles without

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# Aggett : Father seeing it through

DR NEIL AGGETT

**From NEIL LURSSEN, Argus Bureau in Washington**

THE most disturbing thing about them is just how ordinary they seem: an elderly, retired businessman and his bright, attractive married daughter, straight out of comfortable South African suburbia.

Their mutual affection is obvious as, like millions of visitors before them, they do the tourist rounds in Washington — the lovely Old Town of Alexandria, the breath-taking Air and Space museum where the history of manned flight is told with the actual craft flown by Charles Lindbergh and the Apollo astronauts, the many sites and venues that are part of the historical fabric of American democracy.

And, when they return to their hotel in the late afternoon, they talk about the family back home, how much they miss them and how they wish they were here.

But Aubrey Aggett and his daughter, Mrs Jill Burger, are not ordinary visitors. The reasons for their presence here are rooted in a tragic episode in a South African prison cell in February when his son and her brother, Neil, was found dead.

It is an episode that has affected their lives forever — and it brought them here this week to accept an award from the largest labour organisation in America in honour of Dr Neil Aggett.

As one sits in the lobby of the Capitol Hilton in downtown Washington chatting to them, one wonders what the Americans, bustling about, coming and going without really noticing these visitors, would make of their story.

What would they say to the idea that a person can be locked up and interrogated without being allowed access to family members or legal representatives and with no question of bail?

What would they do if that person should then join a long list of people who have died while in the custody of the State?

Is it conceivable that such a thing could occur in the United States where no person is denied access to legal advice, whatever crime he or she is alleged to have committed?

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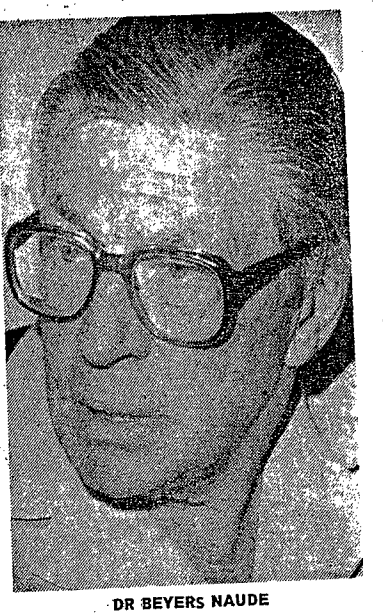


DR BEYERS NAUDE

# Five years on for dominee of conscience

(3-29 Star 29/10/82)

By Jaap Boekkool

The five-year ban on Dr Beyers Naude, former director of the banned Christian Institute, has been extended for another three years.

The banning order was served on Dr Naude, former moderator of the Southern Transvaal Synod of the Ned Geref Kerk and member of the Broederbond, at 2 pm yesterday.

The shock waves will be felt throughout world ecclesiastical circles for the silenced dominee of Greenside is regarded as South Africa's main voice of conscience.

Beyers Naude, named by his father, founder of the Broederbond, after the prominent 1914 Rebellion leader, General Christiaan Beyers, is himself the best known Afrikaner rebel of his time.

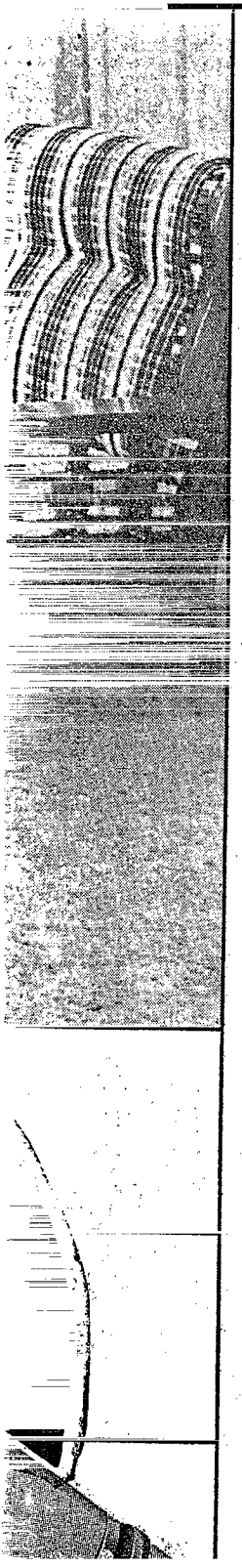
## AFRIKANER REBEL

He had everything going for him in 1963 — a safe NGK congregation at Aasvoelkop in Northcliff, one of the richest and most influential in the country; a promise of becoming the future moderator of his church and perhaps head of the Broederbond, and a top name in the country's Afrikaner establishment, revered by his family and his many friends.

Yet he gave it all up to become the country's best known "internal exile." He was sentenced to five years of silence, and in the words of the Bible, "despised and rejected by man," including some members of his own family.

What motivated this silent man of Greenside?

One answer has been given by Alan Paton: "One is forced to conclude, because one does not



# for dominee of conscience

(329) Star 24/1/1972

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What motivated this silent man of Greenside?

One answer has been given by Alan Paton: "One is forced to conclude, because one does not reach such a conclusion lightly, that this is the work of the Holy Spirit and that Beyers Naude was struck on some Damascene road."

A new book on Dr Naude — "Not Without Honour," edited by Peter Randall for Ravan Press — tells how the man, long seen as an archetype of the Afrikaner, was, in fact, an innovator whose ideas, in the words of theologian Charles Villa-Vicencio, had the habit "of gaining many offspring."

## HIS ESTRANGEMENT

Beyers Naude showed early signs of his innovative thinking and independence of mind as a student at Stellenbosch.

Peter Randall says there was an astonishing foretaste of what was to come when Naude started an anonymous campus newspaper, Pro Libertate, about 30 years before the Christian Institute's monthly Pro Veritate, which began the process of Beyers Naude's estrangement from his society.

Another sign was his marriage, opposed by his family, to Ilse Weder, a girl from German-Moravian stock, and thus an alien to the traditions of volk and kerk.

Other factors that moulded the private rebellion of the Aasvoelkop dominee are easy to see:

- The Cottesloe conference, which tried to set the NGK on the way to reform;
- The 1960 Sharpeville massacre.

Archbishop Denis Hurley said of the latter: "Out of that tragedy God spoke to Beyers Naude."

The trouble with the process was that in the end most of Dr Naude's friends in the Afrikaans churches left him. He, among few, earns that old Boer title of honour: the Bittereinder who stuck it out.

It is this quality of Job-like faith under adversity which brought Dr Naude the honours — doctorates, prizes and international awards. He was seen as a modern-day Niemoller, a Cassandra whose warnings would eventually prove prophetic. He was the main inspiration to James Michener in writing his South African epic, The Covenant.

How the rulers of this country could see in this gentle preacher a dangerous adversary fit only to be silenced is hard to understand.

Except for one thing: the punishment which Beyers Naude has experienced for five years and now has to endure for at least another three, was symbolic, perhaps, for any man who dares to turn his back on his tribe.

## 3 more years of silence

# Beyers Naude banned again

By EUGENE HUGO and MAURITZ MOOLMAN

**THE eminent Afrikaner and former Dutch Reformed Church clergyman, Dr C F Beyers Naude, has been banned again for three years by the Minister of Law and Order, Mr Louis le Grange.**

The banning order renewal was served on Dr Naude by two security policeman at his Greenside, Johannesburg, home at about 2pm yesterday – despite pleas to the Government to free the 67-year-old religious leader.

News of the harsh executive action was greeted last night with widespread condemnation from political and religious leaders who also warned of serious international repercussions.

The new Internal Security Act allows Dr Naude to make written representations to Mr Le Grange in relation to his banning order within 14 days of its receipt.

He may also present to the Minister any other information regarding the circumstances of his case. But Dr Naude is still to discuss the matter with his attorney, Mr Raymond Tucker.

A shattered Mrs Ilse Naude told the Rand Daily Mail she and her husband had at least hoped the Government would change the restriction on Dr Naude to a listing under the Suppression of Communism Act giving him freedom of movement.

"Well the axe has fallen again and there's nothing we can do about it. The Lord gives us strength to live under these conditions," she said.

Mrs Naude spoke in the living room her husband sat with his head in his hands in his nearby study because the couple may not under the provisions of the banning order be together in company.

And while the family contemplated another three years of restriction on their freedom of movement and Dr Naude's freedom of speech, the telephone rang constantly as friends gave words of encouragement.

Bishop Desmond Tutu, General Secretary of the South African Council of Churches (SACC) telephoned Dr Naude with a prayer: "Despite the cross you have to bear the power of creative redemption in Christ will be victorious," he said.

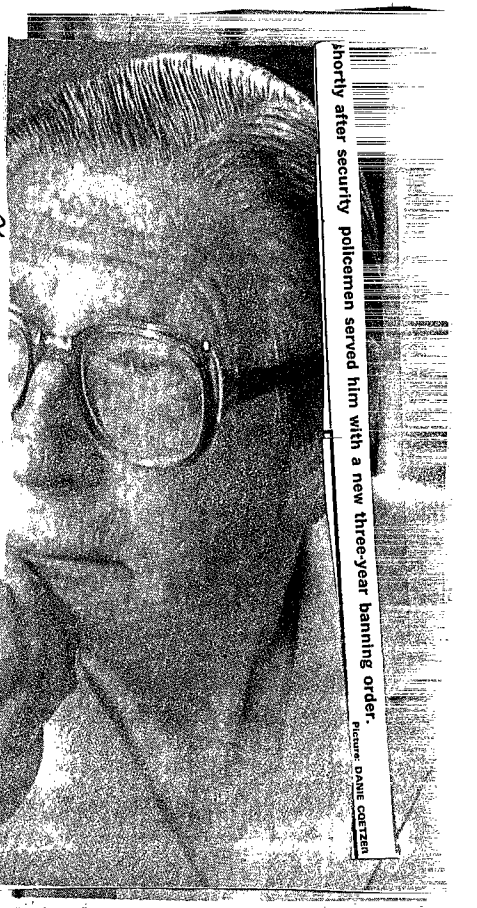
Dr Naude was first banned for five years in October 1977.

Supporters of Dr Naude, the former Director of the Christian Institute, have always insisted he is a "man of peace" but the Schlebusch-Le Grange Commission claimed in 1975 he "preached violence".

The only change in the provisions of the new banning order served on Dr Naude is that it is no longer stated that he should report to a police station once a week.

Yesterday Mrs Helen Suzman, Progressive Federal Party spokesman for Co-operation and Development, said she found the action "totally deplorable".

And the president of the South African Council of Churches, the Rev Peter Storey, said the banning of Dr Naude was a "tragedy".



shortly after security policemen served him with a new three-year banning order. PICTURE: DANIE COETZER

Dr C F Beyers Naude deep in contemplation yesterday

# Aggett 'was not likely to try suicide'

By Michael Tissong

A clinical psychologist who compiled a report on Dr Neil Aggett after he died told a Johannesburg inquest court yesterday that, considering Dr Aggett's background and personality, he was not likely to have committed suicide.

Professor Charl Vorster of Rand Afrikaans University said he interviewed Dr Aggett's parents, his sister, and friends Miss Yvette Breytenbach, Dr Liz Floyd and Mr Dave Dison.

Dr Aggett died in detention at John Vorster Square on February 5.

Professor Vorster said he found Dr Aggett, to be an idealistic humanist who had a strong interest towards the upliftment of underprivileged workers.

He said Dr Aggett had not shown an inclination to suicidal tendencies. He had been free of any serious psychological pathology and suicide would have been a contradictory action.

Professor Vorster said Dr Aggett had become distanced from his parents, particularly his father, whom he considered conservative.

People with whom Dr Aggett associated played a role in moulding his personality and outlook on life.

Mr George Bizos, who appeared for the Aggett family, suggested that the police officer who investigated Dr Aggett's death did not conduct his inquiries vigorously enough.

Mr Bizos accused Captain Carel Victor of merely collecting statements of denial from police officers allegedly involved in assaulting Dr Aggett.

Captain Victor said he was on duty on February 5 and went to Dr Aggett's cell after hearing of his death.

He approached Major Arthur Cronwright for names of people who were with Dr Aggett.

"It is possible that Major Cronwright could have tried to protect his men," he said.

He found out that a security policeman, a Sergeant Mapope, was present during an alleged assault on Dr Aggett. "I did not approach Sergeant Mapope because Major Cronwright said he knew nothing of the assault. I cannot say this is the most correct way of investigating a case," Captain Victor said.

He said he did not ask detainees on the second floor of John Vorster Square for statements because "I understood that I had no access to Section 6 detainees."

Mr Bizos put it to Captain Victor that, according to the Terrorism Act, he did have access to a detainee.

The hearing is continuing.

# Anne takes a break with the Mugabes

The Star's Africa News Service

HARARE — Princess Anne had an unscheduled meeting with the Prime Minister, Mr Robert Mugabe, and his wife, Sally, here yesterday on the second day of her visit to Zimbabwe.

The Princess chatted with Mr and Mrs Mugabe over coffee.

According to the official programme compiled for her visit, Princess Anne was due to meet only Mrs Mugabe.

After a full day of visiting projects sponsored by the Save the Children Fund, of which she is a patron, the Princess was showing signs of tiring and officials cut short Press coverage of her visit to an agricultural research station.

In the morning the Princess had visited the Jairos Jiri centre for handicapped children.

PERSIAN AND ORIENTAL RUGS ON OFFER AT BARGAIN PRICES

Aubrey Blumberg, who in January this year opened a warehouse in Randburg is now offering wholesale prices

# Aggett: 'No risk of suicide'

Cape Times 29/10/82

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**Own Correspondent**

JOHANNESBURG. — Dr Neil Aggett was strongly motivated, well integrated, relaxed, in control of himself and showed no sign of being suicidal before his detention, Professor Charl Vorster of Rand Afrikaans University said in evidence as an expert witness at the inquest into Dr Aggett's death.

Earlier yesterday the investigating officer, Captain C A J Venter, conceded that he had not used the "most correct way" to investigate the case.

Professor Vorster gave the Johannesburg Regional Court a description of Dr Aggett's personality and background drawn from conversations with friends and family, statements made in detention, letters and a scrapbook he kept as a teenager.

He was sometimes a warm, empathetic and sensitive person, but could be distant, intellectual and inspired.

Professor Vorster concluded that at the time of his detention Dr Aggett was actively involved in the pursuit of his ideals and was inclined towards thinking about his future.

This indicated that he was not a suicide risk.

In the context of his life and personality, his alleged suicide was an absolute contradiction and it left a serious question mark over the nature and impact of the changes in his life that drove him to self-destruction.

He denied a suggestion from Mr Pieter Schabort, SC, for the Minister of Law and Order, that Dr Aggett may have wanted to be a martyr.

He also denied that Dr Aggett had shown suicidal tendencies, such as when he became a "loner" at university during a period of intellectual crisis.

The magistrate, Mr Petrus Kotze, asked if Dr Aggett could have shown depression in front of other detainees while appearing normal in front of police. Professor Vorster said it was unlikely.

Captain Venter said he had been appointed to investigate the death.

Mr George Bizos, SC, for the Aggett family, suggested that he had not investigated the matter properly. He should have collected statements from police rather than waiting for Major Arthur Cronwright, head of the investigation team, to give them to him.

"I can't say I used the most correct way to investigate the case," Captain Venter said.

The hearing continues.

# Buthelezi receives top US trade union award

WASHINGTON. — Chief Gatsha Buthelezi said here that dissent in the South African trade union movement came from frustrated trade unionists in voluntary exile.

He was addressing the AFL-CIO (American Federation of Labour-Confederation of Industrial Organizations) banquet where he was presented the George Meany human rights award.

Chief Buthelezi said there were two poles in the South African trade union movement which would not stand the test of time — the Trade Union Council of South Africa (TUCSA) and the Confederation of South African Trade Unions, on the one side, and the South African Congress of Trade Unions (SACTU), on the other.

**From JOHN MATISONN**

He said the divergence of opinion in the South African union movement led to the branding of the AFL-CIO, the American trade union federation, as a CIA front which was moving into South Africa.

### Exiles

He appealed to his "black brothers and sisters in exile to realize that mass support at home is not going to be achieved by ideological posturing abroad".

Chief Buthelezi, who received the award jointly with the late Dr Neil Aggett, paid tribute to Dr Aggett as a "great son of South Africa and a dedicated trade unionist".

But he said it was tragic that leadership in South Africa was so often limited to those who suffered banishment, jailings and even death for their cause.

Directing his comments to counter criticism of the AFL-CIO by unnamed exiled South African politicians, Chief Buthelezi said: "We have never condemned Oliver Tambo, leader of the African National Congress mission in exile, because there have been reports that the head of the ANC's military wing, Joe Slovo, was a KGB agent.

### Free enterprise

"Black South Africans are not ideologically oriented, and to drag South Africa into ideological conflicts in the West about the CIA is unwarranted.

"If we espouse the free enterprise system now, our judgment is that it is now more effective. This does not commit us to capitalism forever, and not to fear communism — which we don't — is not to be pro-communist.

"Only those organizations which base their policy decisions on the will of the workers involved will survive."

### Mandate

Chief Buthelezi said the Prime Minister, Mr P W Botha, was gaining a mandate at the provincial National Party congresses to "embark on a final drive to completely separate black and white political interests in such a way that whites retain a monopoly of control over the wealth of the country and the privileges of the people".

Chief Gatsha Buthelezi receives the George Meany award from the president of the AFL-CIO, Mr Lane Kirkland.


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D Dispatch 29/10/82

# Witness denies death threat to detainee

ZWELITSHA — A picture of former black consciousness leader, Steve Biko — who died in detention in 1977 — was hanging in the office of a security policeman in Cambridge, East London in August last year, the Ciskei Supreme Court here heard yesterday.

This was said during cross-examination in a trial-within-a-trial to determine the admissibility of confessions allegedly made by three of four men appearing on charges of participating in terrorist activities, being members of the African National Congress and possessing banned lietrature.

Mr William Mabone Duna, 31, Mr Dumisani Bezette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patrick Mayekiso, 23, who are appearing before Mr Chief Justice De Wet, have pleaded not guilty to all the charges.

The defending advocate, Mr M. T. Moerane, asked the investigating officer about a threat allegedly made to Mr Maninjwa by a Warrant Officer Elsdon in the presence of the investigating officer, Lt Charles van Wyk, that he would be killed like Steve Biko if he did not tell the full story about his involvement in the matter being investigated.

The trial-within-a-trial involved Mr Duna, Mr Maninjwa and Mr Mayekiso. Under cross-examination Lt Van Wyk denied Mr Duna was not interrogated between September 5 and 14 last year — the period between the day he completed writing his statement and the day he allegedly confessed to a magistrate.

Lt Van Wyk said Mr Duna could have been taken out of prison during this time merely to maintain the goodwill that existed between him and the security police. He could also have been taken to the airport to watch aeroplanes land and take off, or for a drive — "what they called sightseeing," Lt Van Wyk added.

On visits to detainees, Lt Van Wyk said they were all allowed visits by members of their families.

Asked whether he had not told attorneys acting on behalf of the men in the trial that he had said he had "learnt from experience" and would not allow such visits, he said that was not true. No specific entries were made at the police station about visits to detainees.

He added it was difficult to ascertain who saw a particular detainee.

He denied suggesting that Mr Duna make a confession to a magistrate. Mr Duna had asked for this and arranged for a prisons official to call Lt Van Wyk to fetch him for this purpose.

Asked whether he understood that the statement Mr Duna made to the police had no legal effect, and that by asking for a magistrate Mr Duna was incriminating himself, Lt Van Wyk said all he had to do was carry out Mr Duna's wish.

He said Mr Duna's arm had been handcuffed to a chair when a magistrate took a confession from him.

On several occasions yesterday Mr Justice De Wet questioned the line of cross-examination followed by Mr Moerane.

At one stage, as Mr Moerane took up a pile of papers, Mr Justice De Wet said: "Earlier today I spoke to you about keeping to the issues in this trail-within-a-trial. Again I repeat: I want you to confine yourself to matters that will prove or otherwise assault, intimidation or torture of the accused. I don't want you to go through the evidence."

Mr Moerane — My Lord, I am coming up with the points in chronological order.

Judge: "I am not interested in the chronology of this. All I want is information on torture — as you put it — to prove that the accused was put under undue pressure. Otherwise, if you have to go over all this, I shall have to call back my assessors to continue with the trial in which we can hear all the evidence."

When Mr Moerane did not answer, the judge went on: "Do you want to adjourn?"

"No my Lord, I want to continue."

"On the basis I have laid down. Not on any other basis," Mr Justice De Wet said.

Mr Moerane replied he would cross-exaime Lt Van Wyk on the issues.

The hearing continues today, when Mr Moerane will continue with cross-examiniation of Lt Van Wyk. — DDR.

## 2nd autopsy

MILAN — A second autopsy will be performed on the body of Mr Roberto Calvi, the president of Banco Ambrosiano whose death in London in June was ruled a suicide.

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# Pitman lashes out at Minister's accusation

STOP PRESS

Mercury Reporter

IT WAS time that South Africa had a responsible minister of law and order and not one who 'constantly shoots verbally from the hip without any cerebral activity', the opposition spokesman on law and order, Mr Harry Pitman, said yesterday.

He made the comment after Mr Louis le Grange had been reported as accusing opposition party spokesman of being 'highly irresponsible' for criticising the police force on the basis of claims made by a former policeman, Willem Johannes Potgieter, during a court case 'in which he was trying to save his own skin'.

Potgieter told the Supreme Court in Durban that it was not unusual for people to be held in custody for longer than the prescribed 48 hours.

In yesterday's Mercury Mr Pitman described the evidence as 'shocking' and said if this were accepted police practice, the police force had really 'degenerated'. He called for a full and immediate inquiry.

## Apologise

Last night Mr Pitman said Mr Le Grange's statement 'indicates that he takes for granted that an officer in the South African Police would immediately resort to lies to get himself out of trouble and what's more an officer under oath. That is defamatory of police officers.'

Mr Pitman called on Mr Le Grange to 'firstly apologise to the police, secondly think before he speaks and to take his foot out of his mouth where he seems to keep it constantly.'

'I suggest, if the Minister of Law and Order can't do it, someone else who is senior in the police should take it upon himself to enquire into Potgieter's assertions and put the public minds at rest or put right what might be wrong in the police force,' he added.

## Law on arrests and detention explained

Mercury Reporter

A PERSON must be brought to court within 48 hours from the time of his arrest. If he is detained for a longer period, the detention becomes unlawful and he may sue the policeman and the Minister of Police for damages.

Mr Richard Lyster of the Legal Resources Centre in Durban, told the Mercury yesterday that this did not apply to people arrested under security legislation, who could be detained indefinitely.

If the 48 hours expired on a weekend or public holiday when the Court was not sitting, then the period of detention expired on the first court day at 4 p m.

An arrested person (detainee) has the right to refuse to answer any questions put to him by the police, except that he must give his full name and address.

He need not make any statement or sign any document.

From the moment of arrest a detainee is entitled to the assistance of a lawyer and it is unlawful for the police to deny him the right to contact his lawyer.

While a person is locked up in a police cell he must be given food and medical attention if he requires any.

A policeman may only arrest a person if the purpose of the arrest is to take the person to court in order that he may be charged and prosecuted for allegedly committing an offence.

If any other purpose is to be served by the arrest then the arrest will be unlawful. For example, if a policeman arrests a person only to frighten or intimidate him and not to take him to court to stand trial, that arrest will be unlawful.

If an arrest is unlawful the arrested person may sue the policeman or the Minister of Police for a sum of money. The action against the police must be taken within five months after the arrest took place.

See Editorial Opinion

# Aggett inquest - captain quizzed

COUNSEL for the Aggett family, Mr George Bizos, yesterday suggested in a Johannesburg inquest court that the police officer who investigated the death of Dr Neil Aggett did not conduct his investigation with the necessary rigour.

Mr Bizos accused Captain Carel Victor of merely collecting statements of denial from police officers involved in the allegations of assaulting Dr Aggett.

Captain Victor, who is attached to the Criminal Investigating Department, said he was on duty on February 5 and went to Dr Aggett's cell after he heard of the death.

He conducted the subsequent investigation. He approached Major Arthur Cronwright for names of people who were with Dr Aggett.

Captain Victor agreed with Mr Bizos that Major Cronwright had a conflicting interest in the investigation of the case.

"It is possible that Major Cronwright could have tried to protect his men," he said.

Captain Victor said he found out that a security policeman, a Sergeant Mapope, was present during an alleged assault on Dr Aggett.

"I did not approach Sergeant Mapope because Major Cronwright said he knew nothing of the assault," he said.

Captain Victor said he did not ask detainees on the second floor of John Vorster Square for statements because "I understood that I had no access to Section Six detainees."

Mr Bizos put it to Captain Victor that, according to the Terrorism Act he did have access to a detainee.

Own Correspondent.

## Detainee was 'well integrated'

# RAU expert: Aggett was not suicidal

By ANTON HARBER

DR NEIL Aggett was strongly motivated, well-integrated, relaxed, in control of himself and showed no sign of being suicidal before his detention.

This was said in the Johannesburg Regional Court yesterday by Professor Charl Vorster of the Rand Afrikaans University, who gave evidence as an expert witness at the inquest on Dr Aggett, who died in detention.

In evidence earlier, the investigating officer in the case, Captain C A J Venter, admitted he had not used the "most correct way" to investigate the case.

Prof Vorster gave the court a description of Dr Aggett's personality and background drawn from conversations with the trade unionist's friends and family, statements he had made while in detention, letters he had written and a scrapbook he had kept as a teenager.

He concluded that at the time of his detention last year Dr Aggett was actively involved in the pursuit of his ideals and was inclined towards thinking about his future.

He said this indicated that, before being held by the Security Police, Dr Aggett was not a suicide risk.

In the context of his life and personality, his alleged suicide was a contradiction and it left a serious question mark over the nature and impact of the changes in his life that drove him to self-destruction.

Prof Vorster denied a suggestion from Mr Pieter Schabort, SC, for the Minister of Law and Order, that Dr Aggett may have wanted to be a martyr because he knew his death in detention would have serious repercussions.

He also denied that Dr Aggett had shown suicidal tendencies earlier in his life, such as when he became a "loner" at university during a period of intellectual crisis.

The magistrate, Mr Petrus Kotze, asked if Dr Aggett could have shown depression in front of other detainees while appearing normal in front of the police. Prof Vorster said it was unlikely.

Capt Venter told the court he had been appointed to investigate Dr Aggett's death.

Mr George Bizos, SC, for the Aggett family, suggested that he had not investigated the matter properly. He should have collected statements from policemen rather than waiting for Major Arthur Cronwright, head of the investigation team, to give them to him.

"I can't say I used the most correct way to investigate the case," Capt Venter said.

He said he had not approached detainees or asked for permission to speak to them because he believed there was no possibility of gaining access to them. Mr Bizos read him the law that gives him the right of access.

# Dismay at fresh ban on Naude

By Peter Sullivan, Political Correspondent

The rebanning of Dr Beyers Naude under revamped security laws has been condemned by political and religious leaders throughout South Africa.

The three-year restriction order served on Dr Naude yesterday was called "a disgrace and a shame" by Dr Frederik van Zyl Slabbert, the leader of the Opposition.

The initial reaction of Dr Alex Boraine, a former chairman of the Methodist Church in South Africa, was unprintable.

He added later: "You can write that it was unprintable. I am so upset and sick about the whole thing."

He said it was "a desperate and despicable act by frightened and petty men who have to resort to gagging their opponents."

Dr Naude (67) has been restricted for a further three years by the Minister of Law and Order, Mr Louis le Grange.

His one hope, in terms of new legislation recommended by the Rabie Commission, is that he can now appeal to the Minister to lift the restriction.

The only change in Dr Naude's restriction order is that he no longer has to report to a police station once a week.

He may not leave Johannesburg, enter any area set aside for blacks, Indians or coloured people, visit any factory, publishing place, educational institution, court of law (unless summonsed), publish anything, distribute any publication or help to do this, attend any social gathering, political meeting, or educational meeting. He may also not be quoted.

Mrs Helen Suzman said the re-banning had caused distress and dismay not only to Dr Naude's friends in South Africa but to those abroad.

"I do not think the Government fully understands the impact this re-banning will have throughout the Western world," she said.

## Russells wait anxiously

Chief Reporter

The family of the Rev David Russell, the banned Anglican priest, is waiting anxiously to see if he will share the fate of Dr Byers Naude, who was yesterday banned for another three years.

The men are the only remaining victims in South Africa of the bannings on October 19 1977, which accompanied the closing of three newspapers, the banning of 18 organisations and the detention of more than 40 people.

Mrs Dorothea Russell, Fr Russell's wife, said today her husband, who was restricted to the Wynberg magisterial district, had been given permission to attend the funeral of Professor Monica Wilson at Hogsback in the Eastern Cape.

He was due back on Sunday when he would have to report to the police. The family was holding thumbs that he would not be served with another banning order, she said.

Mr John Rees, director of the SA Institute of Race Relations, expressed dismay at the new banning of Dr Naude who, he said, would take his place alongside many others as a great South Afri-

The loneliest man in South Africa. . . . Sad and disillusioned, Dr C F Beyers Naude, eminent Afrikaner, ex-Dutch Reformed Church clergyman, sits in the garden of his home in Greenside, Johannesburg, and contemplates the future — a future darkened by yesterday's order banning him for three more years. Today's picture by Dale Yudelman.

# Aggett suicide unlikely, court told

Argus Correspondent

JOHANNESBURG — A clinical psychologist, Professor Charl Vorster, who compiled a report on Dr Neil Aggett after he died, told a Johannesburg inquest court yesterday that he was not likely to have committed suicide in view of his personality and background.

Professor Vorster said he interviewed Dr Aggett's parents, Mr and Mrs Aubrey Aggett, his sister, Mrs Jill Burgen, and friends Miss Yvette Breytenbach, Dr Liz Floyd and Mr Dave Dison.

Professor Vorster, of the Rand Afrikaans University who practices as a clinical psychologist, said he compiled the report at the request of the Aggett family's instructing attorney, Mr William Lane.

**"HUMANIST"**

Dr Aggett died in detention at John Vorster Square on February 5.

Professor Vorster said he found Dr Aggett to be an idealistic humanist who had a strong interest in the upliftment of underprivileged workers.

He did not show an inclination to suicidal tendencies. Dr Aggett was free of any serious psychological pathology. Suicide would haeve been a contradictory action for Dr Aggett.

Professor Vorster said that Dr Aggett had become distanced from his parents, particularly his father whom he considered conservative. Before Dr Aggett was arrested, he was trying to avoid doing military training.

He described Dr Aggett as a "loner" who was trying to be the master of his own destiny.

He told the magistrate that despite his limited sources of information on Dr Aggett, he had tried to maintain objectivity in his report.

Mr George Bizos, SC, appearing for the Aggett family, suggested that the police officer who investigated Dr Aggett's death did not conduct his inquiries vigorously enough. Mr Bizos accused Captain Carel Victor of merely collecting statements of denial from police officers allegedly involved in assaulting Dr Aggett.

Captain Victor, who is attached to the Criminal Investigation Department, said he was on duty on February 5 and went to Dr Aggett's cell after he heard of the death.

He conducted the subsequent investigation. He approached Major Arthur Cronwright for names of people who were with Dr Aggett.

Argus 29/10/82 329

# Few noticed the change

THE Soweto Council's rejection of a R77-million housing development plan could lose black housing up to R500-million.

What went wrong?

Part of the reason is that Government's policy on urban black housing has changed radically — but few people have noticed.

● See Page 5

## INSIDE

### Chiavelli in another storm

ANOTHER legal storm is brewing around Italian millionaire, Dr Marino Chiavelli — this time over the accommodation for 16 servants at his sumptuous Sandton home, Summer Place.

● Page 2

### R6 300 Saturday Jackpot

● Page 2

### NP support dwindling

THE National Party's loss of support in country areas was dramatically demonstrated on Thursday when only about 700 people turned out to hear the Prime Minister speak in Bethal.

● Page 4

### Dollar keeps its record run

THE dollar continued to rise to records against several currencies yesterday and gold was fixed at $423,25 in London in the afternoon and at $422 in the morning.

● Page 7


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| Appointments | 10+11 |
| Auctions | 11 |
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**Ring the Rand Daily Mail 710-9111**

# NGK on Beyers banning

**Mail Reporter**

LEADING NGK theologians yesterday added their voices to the barrage of protest against the extended banning of Dr C F Beyers Naude.

Most said that they would not be surprised if the banning was linked to the heresy troubles the white NGK was experiencing.

They also said the church moderature should take up the matter with the Government and with the board that reviews all bannings.

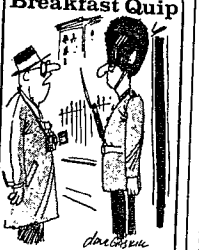
But the NGK's conservative assessor, Ds Tappies Möller, said from Cape Town: "I don't think there is any connection between the church and the banning".

Some dominees felt the new ban may have flowed out of the Rightwing onslaught on the National Party.

The Rightwing took full control of the church at the recent General Synod of the NGK.

Yesterday Dr Naude's legal adviser, Mr Raymond Tucker, said Dr Naude might make representations to the Minister of Law and Order in terms of a section of the Act.

### Breakfast Quip



"As William's the only one at home do we watch the changing of the nappy instead?"

chip companies.

It also reflects a general downturn in interest rates — and that lessens, but does not yet remove, the threat of another increase in home loan mortgage rates.

The drop in rates arises from the two-way effect of the severe downturn now under way in the economy — which has caused a drop in the demand for credit — and the improvement in the gold price since mid-August.

It does not remotely signal the start of a new economic surge.

The four banks which have announced a cut in prime rate are Nedbank, Standard, Volkskas and Trust.

Barclays National Bank has decided to take no immediate action, but it seems certain it will join the others in a day or so

At this stage, however, there will be no reduction in the various overdraft rates paid by individuals and small and medium companies.

These can run as high as 26% on credit cards and loans under R2 000.

The only bank customers who are charged the minimum prime rate are the large companies with reputedly impeccable financial standing.

Bankers said last night, however, they expected that most or all overdraft rates would gradually fall by a similar amount to the cut in prime rate over the rest of the year, provided there was no change for the worse in the economy.

Hire purchase rates will not be affected, however.

Leading bankers expect that, subject inevitably to gold, prime rate will fall considerably in 1983.

But the overall economic outlook for 1983 is grim, as was spelt out this week by Dr Gerhard de Kock, the Governor of the Reserve Bank.

He said in Pretoria: "To be realistic we must, therefore, expect a further reduction in production, an increase in unemployment and either lower rates of growth or further declines in real investment, consumption, sales, profits, salaries, wages and imports."

Yvonne Cloete of Johannesburg s
October heat of the Miss J R

# Injured ch
# between fc

**By LIZ McGREGOR**

A BADLY injured child was shunted bet
four hospitals over a period of nine
after being refused admittance to a pu
cial hospital because she is Indian.

Two-year-old Shamela Daya's fingers w
mutilated after her hair was caught in
blades of a water pump. Her forefinger
almost severed and three other fingers
cut in her struggle to free herself.

This was at midday on Thursday. She
finally operated on yesterday morning. D
tors told her parents her forefinger
broken in three places and the tendons
blood vessels severed. She may never re
full use of the finger.

Immediately after the accident, her fa
Mr Essop Daya, rushed her from their
in Swartkoppies near Alberton to J G S
dom Hospital. She was given emer
treatment and X-rays were taken of her
gers — and then referred to Hillbrow Hos
tal because J G Strijdom is for whites

# Bad speech remark sparks scuffle

**Mail Correspondent**

CAPE TOWN. — A Stellenbosch businessman who criticised the guest speaker at the annual dinner of the University of Cape Town Graduate School of Business Association was slightly injured in a scuffle with members of the organising committee who objected to his remarks.

Mr Nicky Malherbe, an MBA graduate from the UCT business school, stood up at the end of a speech on "Corporate Cultures" by Mr Dick Goss, managing director of SA Breweries, and described it as "the poorest speech delivered at any association dinner to date".

The president of the GSB Association, Mr John Greensmith, said he and other members of the organising committee thought Mr Malherbe's remarks "a bit out of court.

"One or two of the committee members went over to speak to him. Later on a scuffle developed between him and some of the committee members. He fell to the floor and I believe he received a cut behind the head when he fell against a table," Mr Greensmith said.

Mr Malherbe, chairman of a tractor dealership in Stellenbosch, said one of the committee members, Mr Dennis Quayle, h
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Goss had "
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# Prof: Aggett was 'isolated'

Cape Times 30/08/82 p 329

**Own Correspondent**

JOHANNESBURG — If Dr Neil Aggett's complaint of assault was true, this could have triggered his suicide, Professor Jan Plomp of the University of Pretoria said yesterday at the Aggett inquest.

Professor Plomp, associate professor of psychiatry, was the second expert to testify on the psychological condition of the trade unionist who died in detention at John Vorster Square in February.

He described Dr Aggett as socially isolated because of his estrangement from his family and his church, and because he was unmarried and was connected with an opposition trade union movement.

This isolation would have been accentuated by the stress of detention, he argued, adding that the incidence of suicide among awaiting-trial prisoners was three to four times higher than the average.

Mr George Bizos SC, representing the Aggett family, asked Professor Plomp why, after sitting in court for most of the inquest, he had not dealt with any of the allegations that Dr Aggett had been assaulted.

"Surely Mr Smithers' evidence of an assault on Dr Aggett was more important than arguments he had with his father over the length of his beard," Mr Bizos said. Professor Plomp said there was a "constellation of factors" that led to suicide, and all were important.

Mr Bizos read from medical accounts of sleep deprivation:

After 60 hours without sleep, a person would become withdrawn, uncoordinated and inarticulate, and would suffer hand tremors and uncontrolled eye movements.

He said the person could become paranoid and a psychosis would gradually appear.

A longer period of sleep deprivation would lead to extreme sluggishness, intolerable sleepiness, irritability, loss of interest in events and eventually hallucination.

The inquest continues on Monday.

Rom 38/10/82

# Aggett assault 'may have led to suicide'

(329)

By ANTON HARBER

IF DR Neil Aggett's complaint of assault was true, this could have triggered his suicide, Professor Jan Plomp of the University of Pretoria, said yesterday.

Prof Plomp, an associate professor of psychiatry, was the second expert to give evidence about the psychological condition of the trade unionist who died at John Vorster Square in February while being detained under security legislation.

He agreed with Professor Charl Vorster of the Rand Afrikaans University, who testified earlier that Dr Aggett was functioning normally and showed no sign of being a suicide risk before his detention.

He pointed out, however, that certain people may be stable, but react catastrophically and unpredictably to a sudden stress and this may lead to suicide.

He said the incidence of suicide among awaiting trial prisoners was three to four times higher than the average.

Prof Plomp stressed, however, that there need not neccesarily have been any signs to warn of an approaching suicide.

Mr George Bizos, SC, for the Aggett family, asked Prof Plomp why, after having been in court for most of the inquest and listening to almost all the evidence, he had not dealt with any of the allegations that Dr Aggett had been assaulted.

"Surely Mr Smither's evidence of an assault on Dr Aggett was more important than arguments he had with his father over the length of his beard," Mr Bizos said.

Prof Plomp said there was a "constellation of factors" that led to suicide, and all were important.

Mr Bizos said he would argue that there were three factors that led to the suicide — that Dr Aggett was assaulted and deprived of sleep during interrogation, that he was compelled to implicate friends and loved ones and the social isolation of detention.

"If his complaint that he was deprived of sleep for 62 hours, and that he was assaulted and given electric shocks, was true, would it not have given him reason to feel threatened to such an extent that death may seem preferable to a repetition of this treatment," Mr Bizos said.

Prof Plomp replied that this could not be ruled out, but it would depend on a number of other factors as well. He agreed, however, that if Dr Aggett had been kept awake for 62 hours, a form of psychosis would result.

The inquest continues on Monday.

Cape Herald, Saturday October 30 1982 3

# Detentions 'disrupt the senses'

**A DETAINEE'S initial encounters with Security Police provoke so much anxiety that their sense of judgment, thought and function of conscience are automatically impaired.**

This was said by Professor Frances Ames, professor of neurology at the University of Cape Town, addressing a meeting called by the Detainees' Parent Support Committee (DPSC) in Johannesburg this week.

Professor Ames said it was a fact that a variation of outside stimuli was essential to the maintenance of conscious awareness.

In the absence of such stimuli, especially when coupled with limited physical movement as happens during detention, subjects are rendered less vigilant.

She said this also leads to disruption of orderly thinking, loosening of emotional control, fantasy formation, distorted perception and hallucinations. When coupled with prolonged interrogation, the detainee's sense of time is upset and he or she becomes unsure of personal identity and of the dividing line between his or her own thoughts and those of the interrogators. Inevitably this makes them more open to suggestion.

University of Witwatersrand, said that it was difficult for many people to believe that there was reform in South Africa when people continued to disappear from their homes and while others died mysteriously in the hands of the police.

He said apartheid was a beast nobody would be prepared to live with, because of the bitter memories of 1976, of Steve Biko, Moabi Dipale and others who had died in detention.

### DISTURBED

She also said political detainees' sleep was disturbed not only by anxiety but by having cell lights on all night and by periodic visits from police officers.

Total sleep deprivation results in detainees being unable to sustain attention. They have difficulty in handling multiple data and when required to solve problems, tend to react in a stereotyped fashion to the immediate present and to ignore information from the past.

This difficulty in mobilising events of the past has been thought to play a significant part in the making of false confessions.

Another speaker, Dr Ismail Mohammed of the

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1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**...nder the candidate liable to disqualification and to possible exclusion from the University**

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# Suicide a possibility, inquest hears

(229) STAR 30/10/82

By Michael Tissong

Counsel for the Aggett family said in court yesterday that sleep deprivation, assault, being compelled to implicate people and social isolation could have led to Dr Neil Aggett's probable suicide.

Mr George Bizos, SC, said this at the inquest of Dr Aggett who died in detention at John Vorster Square on February 5.

He asked Professor Jan Plomp, a psychiatrist giving evidence, why he had not dealt with those possible causes of suicide in his report.

Professor Plomp compiled a report on Dr Aggett as a subject before he was arrested to establish his suicide risk.

Professor Plomp said he found Dr Aggett a normal, well-adjusted person who was not a suicide risk.

He said a risk of suicide would have increased if Dr Aggett had been prevented from complaining of his assaults and from seeing a magistrate or an inspector of detainees.

Professor Plomp said there was usually no single cause of suicide, but many predisposing factors.

Professor Plomp said the factors Mr Bizos had raised could have had an effect on Dr Aggett, but it depended on his personal make-up at the time.

He said that hypothetically it could have had drastic results.

The inquest continues on Monday.

# Priest doesn't know he's been (329) unbanned

Mr and Mrs David Russel — a new life

**BANNED priest David Russell buried a close friend yesterday in a remote village — unaware that the Security Branch had confirmed he would be a free man from midnight tonight.**

Mr Russell and his wife — who have lived under the shadow of a banning order for the whole of their married life — were given special permission this weekend to travel to the Eastern Cape for the funeral.

Before leaving home in Cape Town on Friday, Mrs Dorothea Russell said cautiously that she was optimistic that her husband would not be rebanned.

"Beyers Naudé was banned again on Thursday and the whole day we sat waiting for the knock on the door . . . it never came," she said in her soft Irish accent.

"I hope this is a good sign for us."

But only at midnight tonight would the family relax completely, she said.

Mrs Russell said the police were aware of their movements over the weekend and could contact them anytime up to midnight on Sunday to serve a new order.

However, a Security Branch source yesterday confirmed pro-government newspaper reports that the restriction on Mr Russell would be lifted.

The Russells do not know what it is like to live a normal married life, free of the crippling restrictions of a banning order.

Mrs Russell, a former Roman Catholic nun from Belfast, married the outspoken Anglican minister in October, 1980.

**By SARAH HETHERINGTON**

The wedding was held on a Sunday — the only day that Mr Russell is allowed to attend public church services.

Over 4 000 people attended the wedding celebration that was held at the Crossroads squatter camp where the couple met each other a few years before.

"We have heard nothing so we are feeling optimistic. But there is no way we can know what will happen," she said.

"According to his papers, when David gets up on Monday he will no longer be banned."

Mrs Russell listed the onerous terms of the banning order that has been so much a part of their married life.

For five years now, Mr Russell has been:

- Under house arrest from 6pm to 6am during the week and all day Saturday, but is allowed to stay out till 9.30pm on Sundays.
- Banned from entering any coloured, Indian or black group areas.
- Restricted to the Cape Town municipal area.
- Prevented from visiting any educational institution.
- Prevented from seeing more than one person at a time.

In 1980 Mr Russell was sent to jail for two weeks after being convicted of breaking the banning order.

In defiance of its provisions, he had flown to Grahamstown to attend the Anglican Church synod.

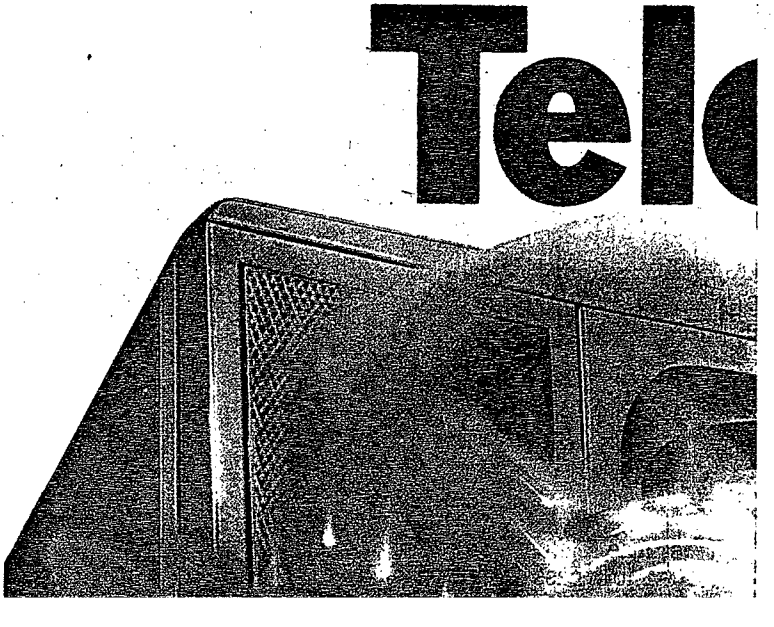
Originally sentenced to 12 months, the sentence was reduced on appeal.

The couple left their Claremont home on Friday morning to travel to the Eastern Cape where Mr Russell conducted the funeral service of a close friend, anthropologist Professor Monica Wilson, who died this week at the tiny hamlet of Hogsback, near King William's Town.

Mrs Russell said they had made no special plans for next week when her husband regains his freedom.

"We hope to stay on in the Eastern Cape and visit friends . . . just trying to catch up on life.

"It will be absolutely marvellous to meet all our friends again," she said.



# For Naude the anguish of Psalm 13

*"How long, O Lord, wilt thou quite forget me?"*
*Psalm 13*

THEY put a brave face on it, of course, but they're devastated.

In their "gulag" in the Johannesburg suburb of Greenside, they hug each other and they comfort each other.

For Dr Christiaan Frederick Beyers Naude, 67, and his wife Ilse, 69, the prospect of another three years under a banning order is awful.

"We hoped and prayed that it would be otherwise: We're old now — we wanted to be free to do things together. To go away on holiday together.

"But it was not to be, and we will just have to live with it," says Mrs Naude.

He sits, barefooted, in the study of his modest home.

On the wall is an inscription that reads: "This place is under arrest."

Another, a sticker issued by Kaizer Chiefs, says simply: "Love and Peace."

On his desk is a volume about Robert Mugabe.

This renegade Afrikaner who was once in the inner councils of the Broederbond — and who still tears at the soul of Afrikanerdom — is less ebullient than when I saw him a fortnight earlier and his hopes of being "unbanned" were high.

He may not be quoted. Mrs Naude talks instead.

"Had Beyers not been re-

By BRUCE LOUDON

banned, all he would have done would have been to offer his services anew to the NGK — especially to the congregation in Alexandra (black township), and to the ideal of unity among the NGK's three daughter churches and among all the reformed churches in our country.

"There's provision for an appeal to a review board — but goodness knows what good that will do.

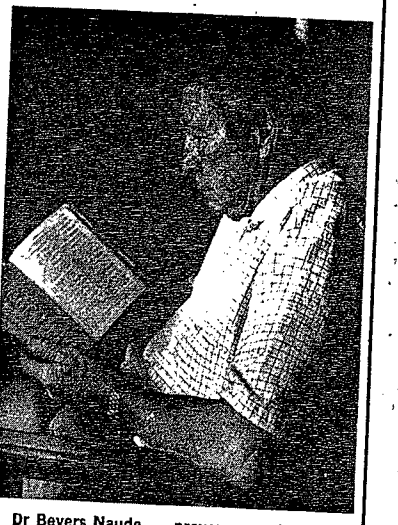
"As far as we can make out it is an unidentified tribunal that meets in secret.

"Beyers could appear in person, but he could not take along a legal representative. Nothing of what happened could be disclosed."

So life for the old couple seems cast in the same straightjacket of the past five years . . . one of constant surveillance and quarantine.

"It is all silly: Beyers remains dedicated to the interests of all South Africa's people as a whole — including his own Afrikaner *volk*," says Mrs Naude.

"Another three years as a banned person will not change him."



Dr Beyers Naude — prayers were in vain

Together, they read the Bible. It is Psalm 13.

*"How long, O Lord, wilt thou quite forget me?*
*"How long wilt thou hide thy face from me?*
*"How long must I suffer anguish in my soul, grief in my heart day and night?*
*"How long shall my enemy lord it over me?"*

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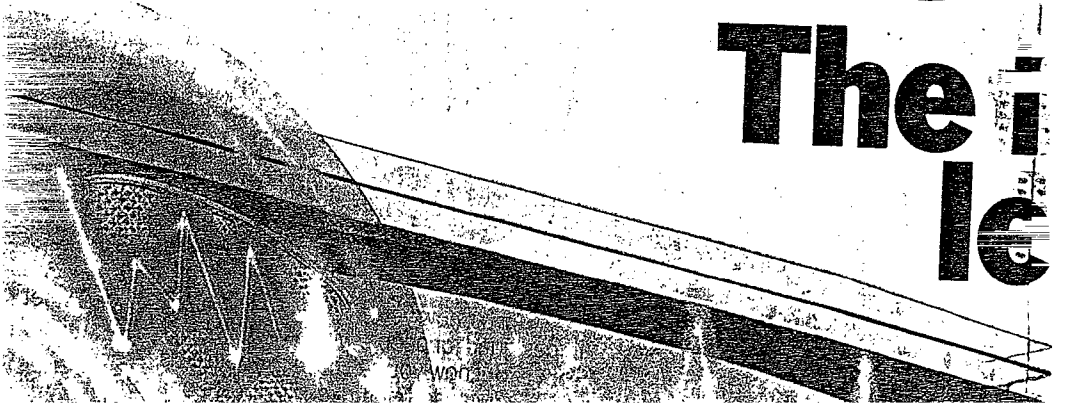

TIMES, October 31 1982

S. Time

# Boesak slams ban on Naude

By RIC WILSON

AN IMPASSIONED attack on the re-banning of Beyers Naude was made yesterday by Dr Allan Boesak, one of South Africa's most powerful churchmen and a close friend of the Afrikaner rebel.

Dr Boesak, recently elected president of the World Alliance of Reformed Churches, said he was "speechless with anger" when he heard of the new banning order.

The WARC, which pleaded in August for the return of Dr Naude's freedom, would be taking "appropriate action" to impress on the Government "how strongly the churches of the world feel about this", he said.

The re-banning of Beyers Naude — "a man who wants only peace and justice for all South Africans" — was an act of vindictiveness and "stark fear".

Said Dr Boesak: "The Government knows that a man like Beyers Naude, let loose on Afrikanerdom at a time like this, would cause its policies great harm."

The relationship between the two men goes back to the early 1960s, when Allan Boesak was a theology student.

## Dumbstruck

Dr Boesak has said Beyers Naude showed him that "not all Boers are bad", and taught him how to stop hating.

It was a dumbstruck Dr Boesak who learned on Friday of the new banning order on his white mentor.

He said yesterday: "Even knowing the Government as I do, it came as a profound shock.

"It also makes me terribly sad because this is the kind of thing that shows me that people who hope for peaceful change in this country are hoping against hope."

Dr Boesak visited Beyers Naude earlier this month when he was in Pretoria as an observer at the Nederduitse Gereformeede Kerk synod.

"I wouldn't say Beyers was optimistic, because he more than anyone knows his own people ... and he knew that they would not let him go.

"The rebanning makes absolute nonsense of the Government's propaganda that it is trying to reform South African society.

"This action against Beyers Naude is the clearest sign yet that the Government is in the grip of irrationality and fear."

5- Express 31/10/82

# Marathon inquest ending

(32a)

SUNDAY EXPRESS REPORTER

AFTER 38 days of hearings spread over six months, the marathon inquest into the death of Dr Neil Aggett is finally drawing to an end. The last witness has been called and the hearings are expected to end this week.

The two high-powered legal teams — representing the Aggett family and the Minister of Law and Order — are expected to begin their final argument tomorrow.

This will last a few days and then the inquest is likely to adjourn, while the magistrate studies more than 3 000 pages of court records.

A psychologist and a psychiatrist — both called during the week to analyse Dr Aggett's mental condition — agreed on only one thing: that Dr Aggett showed no signs of being a suicide risk before his detention.

The psychologist, Professor Charl Vorster of Rand Afrikaans University, argued that the reasons for the suicide must lie in the effects of prolonged detention.

Professor Jan Plomp, a psychiatrist from the University of Pretoria, suggested that detention had heightened the effects of Dr Aggett's social isolation. Under cross-examination he agreed the suicide may have been triggered by an assault.

Former detainee Mr Auret van Heerden, who had occupied the cell opposite Dr Aggett's, told the inquest how he had watched Dr Aggett deteriorate so much during the last week of his life that he finally decided that there was a risk of suicide and this should be reported to the police.

The same night — before Mr van Heerden had acted on this decision — Dr Aggett was found hanged in his cell.

# Woods is re-banned

By NEIL HOOPER

THE REV David Russell, whose five-year banning order expires today, will not be banned again.

This was disclosed by a senior Government source, who said the decision had been taken by the Director of Security Legislation, Mr A Bosch, whose appointment was announced recently.

The source also disclosed that a proclamation was to be gazetted rebanning two other people who were banned with Dr Naude and Mr Russel on October 19, 1977.

They were Mr Donald Woods, former controversial editor of the Daily Dispatch, who fled South Africa on December 31, 1977, and the Rev Theo Kotze, a former colleague of Dr Naude who fled the country in July, 1978.

The only effect the ban will have on them is that they may not be quoted in the Republic.

● See Page 12

S. Express 31/10/82

# It's back to books for the Nats' top outcast

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By ANGELA GILCHRIST

AFRIKANER rebel Dr Beyers Naude has resigned himself to the restrictions imposed by the new three-year banning order served on him this week.

The banning has received widespread condemnation and Dr Naude's phone has rung constantly as well-wishers conveyed messages of sympathy and encouragement.

The former Dutch Reformed Church clergyman and director of the banned Christian Institute has already spent five years as a banned person.

The fresh banning order, served in terms of the new Internal Security Act, was delivered by Security Police on Thursday, only days before the five-year order was to expire.

It is likely that Dr Naude would have been the moderator of his church and possibly head of the Broederbond, as well as a top name in the country's Afrikaner establishment.

But he shunned it all when he questioned the policy of apartheid and became the country's best-known internal exile.

Now he will continue to read books of social and political significance and to minister to victims of the apartheid system — one at a time in his study since his banning prevents him from all meetings of a social, political and educational nature.

Meanwhile, Government sources have confirmed that the restriction order on Cape Town Anglican priest the Rev David Russell, which expires today, will not be renewed.

This means Dr Naude is the only remaining victim of the October 1977 clampdown which included the closing of three newspapers, the banning of 18 organisations and the detention of more than 40 people.

Sapa-AP yesterday quoted the chief spokesman for the United States State Department, Mr John Hughes as saying: "Banning is contrary to the most essential democratic political rights and only contributes to a cycle of violence and repression."

● Dr Beyers Naude pictured at his Greenside home this week.

MR HURST VAN HEERDEN ... in cell opposite Dr Aggett's.

# They were turning Aggett into a Zombie

## SAYS FORMER DETAINEE

By BRUCE LOUDON Picture: JAMES SOULLIER

HE stands in the dock of Court 18 t the Johannesburg Magistrate's ourt and says simply: "My testi- les were crushed."

Just as, according to him, Dr Neil ggett, who was found dead in his cell John Vorster Square, Johannesburg, st February, was given electric locks on his testicles — and later ecame a "zombie".

Auret Dennis van Heerden, 27, is the st of the former detainees to give idence at the inquest into the death Dr Aggett.

In terms of public interest, however, is clearly seen as one of the most portant witnesses: The gallery is cked to overflowing. Press benches e filled with local and foreign re- riters.

International television networks e on hand.

Van Heerden was detained at John rster Square for 289 days, and was leased only last July. From the day December 11, last year, when Dr ... was arrested, until the time of tragic death, the two friends were cells opposite each other.

Van Heerden had almost daily con- with him.

He has submitted a long and de- iled affidavit to the court, both about is observations in relation to Dr Ag- tt, and his own treatment in deten- on.

### egal duel

But the Magistrate, Mr P A J Kotze, led that only paragraphs 1-24, which scribed Dr Aggett, were admissible: ther seven pages about what hap- d to him were ruled inadmissible.

hen he says his own testicles were ushed" he is interrupted and stops.

He stands in the witness box, a hand- me if sad-eyed person in dark grey isiness suit and conservative blue irt.

Unlike some of the earlier witnesses the inquest, he is outspoken and tremely articulate in his answers — one would expect, perhaps, from meone who is currently writing his aster's thesis in industrial sociology, s topic being "Opposition Organisa- ns since 1976".

Mr Pieter Schabort, SC, for the Min- er of Law and Order and the Police, ys in cross-examination: "You have aid he (Dr Aggett) was shocked on his rd testicles; was that the most shocking pect of his reporting?"

Quick as a flash, Van Heerden re- rts: "That, Mr Schabort, is a very tefortunate choice of words."

When Mr Schabort asks why he and Aggett discussed "tactics" while ey were both in detention, he tswers: "When one is being strangled the point of death, tactics become an ue.

issue of survival."

There are other one-liners. When Mr Schabort says he finds some of Dr Aggett's actions in detention to be "strange", Van Heerden tells him: "I do not find anything a detainee does after being held in solitary confinement for a couple of months to be strange."

And when Mr Schabort questions his use of the term "solitary confinement", he answers: "When you are locked in your cell alone for 289 days I don't know what else you call it."

It is a classic legal duel between two intellects.

And in the course of his testimony, he gives an account of Dr Aggett's detention that the inquest has not previously heard.

"I can remember Neil being brought into John Vorster Square on December 11, 1981. He was allocated cell 209, one of the two cells which had a door opposite the door of my cell.

"From the time that Neil was brought into detention, he and I established a form of communication between ourselves," says Van Heerden.

"When the guards opened the doors for meals, Neil and I could talk to each other, across the passageway, through the grilles of our cells."

They mainly discussed, he says, "Neil's interrogation .... because my interrogation had already been completed."

### Pool of sweat

Van Heerden continues: "From the time that Neil was brought to John Vorster Square until his intensive interrogation started towards the end of January, he was in a fit mental and physical state. He was not unduly depressed, and physically he seemed quite strong.

"At the beginning of January, Neil told me about a physical assault that had been made upon him while under interrogation ... he told me that he had been taken into the general office on the 10th floor by his interrogators.

"They closed the door and put a desk against it so that nobody could come in. He was stripped totally naked and was made to run on the spot. He was made to do exercises like press-ups and star jumps.

"He was told that he was being made to do this because his statement (ordered by Security Branch officers about his activities) was totally unsatisfactory.

"I can remember him mentioning that Van Schalkwyk (a Security Branch officer) was there, because he later said that Van Schalkwyk actually assaulted him. He said the idea seemed to be to exhaust him.

"He said there was a pool of sweat on the ground. He said that it lasted about three hours. During that time Van Schalkwyk had clubbed him on his body and his face with his forearm."

Van Heerden said that during the latter part of January, the Security Branch started taking Dr Aggett to the 10th floor (interrogation rooms) on a daily basis. He then referred to the vital few days before Dr Aggett was found dead in his cell on February 5.

"I did not see Neil in his cell at suppertime on Friday, January 29. I also did not see him at all on Saturday. I was now worried about him.

"On the Sunday morning I realised that Neil was back in his cell because food was brought to his door. However, it was obvious that something strange had happened, because Neil was not coming to his door to collect the food.

"On Monday evening, when they opened my door for supper, I saw Neil coming from inside towards his cell door.

"I made as if to greet him and he immediately hesitated and did not walk any nearer to the grille. I was puzzled and beckoned him to come closer.

"We then communicated with each other in very low undertones and with a combination of hand signs and whispers.

"I then asked him what had happened and he made signs with his hands indicating that he had been broken.

"At the same time as he made this hand signal, he actually whispered the words, 'I've broken'.

"He was very downcast; everything about him spoke of defeat and resignation. I asked him what they had done to him. He indicated that they had given him electric shocks and that he had been kept awake and standing for a certain amount of time.

### Started crying

"I asked him what the implications were and he said that he had been forced to say that he had Sactu (South African Congress of Trade Unions) links. He said, and I quote him verbatim: 'They forced me to say I am a communist.'

"He then started crying and said: 'They just must not ask me any more questions.'"

Van Heerden spoke to Dr Aggett again on the Wednesday, and says he met him the following morning in the passage. "I greeted him. He looked up and there was practically no acknowledgement or recognition in his eyes.

"That evening he looked so bad that I actually decided not to talk to him. I now realised that, since he had come back from his session on the 10th floor the previous weekend, he had undergone a progressive deterioration.

"It was the kind of progressive deterioration which was turning him into a zombie," he says.

On the evening of the 4th, Van Heerden says he began to think that Dr Aggett might commit suicide, and resolved to try to report the matter to Security Branch officers.

"Later, in the early morning, I heard the commotion of voices speaking in the passage, and, because this was completely out of the ordinary, I realised that Neil had died."

# Witness hires personal guard

RET van Heerden, who vatified at the Aggett in- uest this week, has hired a personal security guard r other incidents during rt ich unidentified "prowl- y" were seen at his Yeo- inke, Johannesburg, home. ir his lawyer, Mr Gilbert Marcus, of the firm Web- ber, Wentzel, said yester- day that he had advised Mr van Heerden, 27, to "take security precautions for fear of his own safety".

Last Monday night, after he began his evidence, "prowlers" were seen around his home. The inci- dent was reported to the police, Mr Marcus said.

Mr van Heerden, a for- mer Nusas president who is now writing his MA thesis in industrial sociology, spent 289 days in detention, and was released in July.

During cross-examina- tion at the inquest he agreed that he had been "embarrassed" by the fact that he had done his army service.

Mr Pieter Schabort, SC, representing the Minister of Law and Order and the SAP: "Friends and associ- ates were regarding you as a spy?"

Van Heerden: "Yes, some people alleged that." But he added that "these allega- tions have largely died away".

Questioned further by Mr Schabort, he agreed that he was due to give evi- dence at the coming trial of Mr Cedric Mayson, an asso- ciate of Dr Rovers Naude

# may be all over this week

ay, or ha of

end to the Aggett in- it is in sight.

inal, technical evidence been heard. After that come argument by the pus legal representa- at the inquest, includ- Mr George Bizos, SC, Mr Pieter Schabort, SC, for the Minister of Law and Order and the SAP.

That is likely to take only a few days — and may be finished by Thursday.

Then it is up to the ma- consider all the evidence, together with the assessor, Professor L Smith, of Cape Town.

The purpose of the in- quest is to find out precise- ly what caused Dr Aggett's death at John Vorster Square.

# Fiery Russell may gain freedom today

Rev David Russell... Church before State

# 'THEY WILL UNBAN HIM'

S Tribune 31/10/82

**TRIBUNE REPORTER**

CAPE TOWN: Rev David Russell, the fiery, Anglican priest who once lay down in front of a bulldozer in a desperate protest against the demolition of a Peninsula squatter camp, will not be re-banned when his five-year banning order expires this weekend, according to Nationalist newspaper reports.

The ministers of Law and Order and of Justice could not be reached yesterday to comment on the reports, which quoted a "reliable source".

Mr Russell was in Hogsback in the Eastern Cape yesterday, attending — with special government permission — the funeral of top social anthropologist Professor Monica Wilson, 74, who died of cancer at her home in the tiny village this week.

At the present time, Mr Russell is still banned and cannot be quoted.

At the present time, Mr Russell is still banned and cannot be quoted.

It is believed he will be informed officially of his position today when he reports as a matter of routine to his local police station in Cape Town.

Mr Russell was banned on October 19, 1977, the same day as former NGK churchman Dr Beyers Naude, when the then Minister of Police, Mr Jimmy Kruger, clamped down on numbers of individuals, 18 organisations, and two papers. In a shock move this week, greeted with sorrow and disgust in many quarters, Dr C. F. Beyers Naude, former director of the Christian Institute was rebanned for another three years.

Mr Russell, who in his capacity as parish priest played a key role in fighting for the rights of the residents of the peninsula squatter camp Crossroads, spent four days and later another 10 days in Pollsmoor Prison in 1980 when he was convicted of contravening his banning order by attending the Anglican Synod in Grahamstown the previous year.

He had refused to allow the authorities to stand between him and his church and went to Grahamstown openly as a delegate after permission to do so had been refused by the authorites. His arrival caused a sensation.

He was originally sentenced to 12 months imprisonment by a Parow Regional Court magistrate, but this was reduced to an effective 14 days on appeal to the Supreme Court in Cape Town.

In 1980, in an amazing festival of a wedding in the Peninsula, Mr Russell married former Roman Catholic nun, Dorothea Madden, who left her order to marry him.

She was formerly known as sister Benigna, and she met Mr Russell when they were both active in Christian work in Crossroads.

## Friend tells of 'drastic change' in last days

S Pebune 31/10/82 (329)

# The breaking of Dr Aggett

**TRADE unionist Dr Neil Aggett was a strong man, but in the last week of his life, torture left him broken in body and spirit.**

This was the picture that emerged this week at the Johannesburg Regional Court inquest into Dr Aggett's death in detention on February 5.

The court also heard allegations of security police threats to a witness and was shown an electrode that roughly matched the wounds on former detainee Mr Shirish Nanabhai, who earlier claimed he had been given electric shock torture during interrogation at John Vorster Square.

Key witnesses of the week were:

- Auret van Heerden, a friend of Dr Aggett's who was detained in a cell diagonally opposite him, who outlined the drastic changes in the trade unionist in his last days.
- Charl Vorster, associate professor of the Rand Afrikaans University psychology department, who drew a psychological portrait of Dr Aggett.

Mr van Heerden's own interrogation had been completed and he said he was able to offer Dr Aggett advice and make comments.

"From the time that Neil was brought to John Vorster Square in mid-December until his intensive interrogation started towards the end of January 1982, Neil was in a fit mental and physical state."

A BUTTON electrode similar to the one produced at the Aggett inquest that roughly matched the wounds on the arm of a former detainee, Mr Shirish Nanabhai.

**By MARION WHITEHEAD**

At the beginning of January Dr Aggett showed him a cut on his forearm which he said one Van Schalkwyk had opened during an assault.

According to Van Heerden, he said his interrogators had stripped him totally naked and made him exercise until there was a pool of sweat on the floor. This went on for three hours with questions being fired at him.

Mr van Heerden said he realised Dr Aggett was in for an extended period of interrogation on Friday afternoon, January 29, when he heard security policemen arranging shifts for the weekend. A Lieutenant Pitout was not happy about having to work on Sunday but Captain Swanepoel told him: "Kyk, ek glo nie hy sal so lank hou nie."

Dr Aggett slept all Sunday and Mr van Heerden only saw his friend on Monday evening at supper time.

Dr Aggett was reluctant to speak but signalled a stick being broken and whispered: "I've broken."

He said they had given him electric shocks on his testicles and that he had been kept awake and standing.

Dr Aggett also said he had been forced to say he was a communist and had links with the South African Council of Trade Unions.

Dr Aggett then started weeping and said: "They just must not ask me any more questions."

On Wednesday February 3, Dr Aggett was brought down to his cell at noon and spent the afternoon worrying that Security Police had started to question other people on the basis of information gained from him.

The next morning, Dr Aggett "looked like a zombi," Mr van Heerden told the court. He passed Dr Aggett on his way to the showers and the trade unionist hardly registered his friend's greeting.

That night, February 4, Dr Aggett looked so bad that Mr van Heerden decided not to talk to him for fear of making his situation worse.

Mr van Heerden thought for the first time that Dr Aggett might commit suicide.

During the night he was woken by a commotion outside his cell and realised it was too late — his friend was dead.

The Aggett family are trying to prove induced suicide, which is a crime.

Mr George Bizos, SC, for the family, said he would argue that three factors led to suicide — that Dr Aggett was assaulted and deprived of sleep during interrogation, that he was compelled to implicate friends and loved ones, and the total isolation of detention.

Giving expert evidence, Prof Charl Vorster told the court that Dr Aggett was not the sort of person likely to try suicide.

He interviewed Dr Aggett's family and friends, read their letters and examined a scrapbook Dr Aggett kept as a teenager when he was asked to draw a psychological portrait of the man.

Prof Vorster said Dr Aggett was a sensitive, independent person who had a strong interest in the upliftment of underprivileged workers.

Mr Bizos produced a small button electrode the size of a 10 cent piece in court this week.

Dr Norman Jacobson, who saw wounds on the arms of former detainee Mr Shirish Nanabhai after he complained of electric shock torture, said the electrode roughly matched Mr Nanabhai's wounds.

Button electrodes are used by psysiotherapists to treat wasting of muscles.

Dr Jacobson said there was a "distinct possibility" that this was the instrument which caused the detainee's wounds.

# Beyers will not appeal against ban

(329) Star 11/11/82

Dr Beyers Naude ... world outrage.

**Chief Reporter**

Dr Beyers Naude, Afrikaans cleric and former director of the banned Christian Institute, has decided against making any representations to the Minister of Law and Order and to the new Review Board on his new three-year banning order.

"To do so would lend credibility to a charade of justice," his attorney, Mr Raymond Tucker, said today.

In terms of the new Internal Security Act Dr Naude has 14 days in which to appeal against his re-banning.

Mr Tucker said that as the Minister refused to give reasons for the re-banning Dr Naude would not be entitled to know what reasons had been furnished to the Review Board — a board technically appointed by the State President but effectively by the same Minister who did the banning — the Minister of Law and Order, Mr Louis le Grange.

Worldwide outrage, led by the Reagan Administration in the United States, has greeted the re-banning of Dr Naude.

Dr Naude, who was banned for five years on October 19, 1977, was served last Thursday with a further banning order for three years.

John D'Oliveira of The Star's Washington Bureau reports that a spokesman for the US State Department said the administration viewed the re-banning of Dr Naude in the context of a statement made by the US deputy delegate to the United Nations commission on Human Rights in February.

"In that statement we set out our view that banning is a fundamental violation of human rights.

"Banning is contrary to the most essential democratic political rights."

Dr Naude's wife, Mrs Ilse Naude, said today her husband had received a stream of messages of support from South Africa and overseas.

Afrikaans newspapers have also criticised it.

The Sunday newspaper Rapport yesterday asked that any representations by Dr Naude to the authorities appealing against his banning receive urgent attention.

The Johannesburg morning newspaper Beeld suggested the

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(329) Star 11/11/82

# Beyers: no appeal

From page 1

authorities could reduce the controversy that has arisen over the re-banning by at least stating why reasons for the banning could not be provided.

The five-year ban on the Cape Town Anglican priest, the Rev David Russell, who was also banned on October 19, 1977, lapsed at midnight last night.

"God will bring down judgment on the system and the people responsible for violence to humanity in South Africa," Mr Russell said in Cape Town today.

No new banning order has been served on him.

Mr Russell, who may now be quoted for the first time in five years, said: "It is very good to be able publicly to salute Beyers Naude whom I regard as my elder in God and in the struggle for justice in South Africa."

● The Black Sash will hold a demonstration tomorrow at traffic lights along Jan Smuts Avenue, between Witwatersrand and Tyrwhitt Avenue, to protest against Dr Naude's re-banning and the continuation of pass raids and removals.

# 'Aggett became suicidal'

**COUNSEL for the Aggett family told a Johannesburg inquest court last week that sleep deprivation, assault, being compelled to implicate people and social isolation could have led to Dr Neil Aggett's probable suicide.**

Mr George Bizos asked Professor Jan Plomp, a psychiatrist who was giving evidence, why he did not deal with any of these possible causes of suicide in his report which he compiled on Dr Aggett.

Professor Plomp compiled a report on Dr Aggett before he was arrested. "I wanted to establish what kind of suicide risk he was before he was arrested."

Professor Plomp said he found Dr Aggett a normal well-adjusted person who was not a suicide risk.

In answer to a question by Mr Bizos he said a risk of suicide would have increased if Dr Aggett was prevented from complaining of his assaults and if he was prevented from seeing a magistrate or an inspector of detainees. —, Sapa.

## 30 meet in cleric's home

# Banned Naude joins in prayers

By MAURITZ MOOLMAN

**BANNED Afrikaner minister, Dr Beyers Naude, yesterday attended a special 30-minute prayer meeting held at his home by the black Nederduitse Gereformeerde Kerk in Afrika.**

And a number of English speaking ministers had phoned to tell him they would remember him in their prayers.

Dr Naude did not break his banning order by attending the service because prayer meetings are the only gatherings of more than two people he may attend.

About 30 members of the Alexandra congregation, of which Dr Naude is a member, crowded into his small living room yesterday afternoon to attend the service led by NGKA leader the Rev Sam Buti.

The former NGK minister and director of the banned Christian Institute was reissued with a three-year banning order by the Minister of Law and Order, Mr Louis le Grange, on Thursday. A previous five-year banning order expired yesterday.

Congregation members, mostly blacks, were met at the door individually — first by him and then by his wife Mrs Ilse Naude — as they arrived at Dr Naude's Greenside home yesterday at 12:30pm.

Dr Naude entered the overflowing room when the service had started and left after the last hymn.

He and his wife supported one another as they stood among the congregation while Mr Buti read from the Scriptures (Matthew 5:11).

They both joined in the singing of hymns. Dr Naude's words of gratitude, which brought tears to the eyes of more than one present, may not be quoted.

Delivering his sermon in Afrikaans, Mr Buti told "Oom Bey en Tannie Ilse" — as he called them: "You are prophets in this land. And as the Word of the Lord teaches us, prophets have been and will be prosecuted because they favour the truth.

Mr Buti referred to Mrs Winnie Mandela and other banned people and told Dr Naude: "You are also the symbol of all other banned persons we cannot get to.

"Take these words: You are not the only banned person. Those who are responsible for restrictions are themselves restricted because they do not want to see or recognise the truth. They are restricted by fear."

He said bannings demonstrated the existence of lovelessness in a society which — as in communist countries — denied people the right to freely exercise their Christian brotherly love towards one another.

"Our hearts have been broken by this latest banning but it has given us strength, not fear," Mr Buti said.

Mr Roelf Meyer, a member of the Alexandra congregation and former editor of the banned Christian Institute publication Pro Veritate, released a statement on behalf of the Alexandra congregation calling on all churches to resist apartheid.

"As Beyers Naude is a member of the congregation of Alexandra Dutch Reformed Church of Africa, we as congregation and church council experience his banning as a cruel attack on the Body of Christ and consequently a denial of Jesus the Christ.

"We call on all the churches in South Africa in joining us in our witness and resistence of this evil system of apartheid which silences a believer in Christ to live out a life of total contradiction: jailed in freedom, silenced while speaking, isolated while communicating, a symbol of hope while oppressed.

"As long as one person is unfree the whole of society is unfree."

● Dr Naude's lawyer, Mr Raymond Tucker, yesterday said it had not been decided whether to apply for Dr Naude's case to be reviewed.

● Picture — Page 3

# Aggett's 'last message' theory

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ARGUS 2/11/82

Argus Correspondent

JOHANNESBURG. — Dr Neil Aggett may have left a last message in the form of two books found open in his cell, the inquest on the trade unionist heard today in the Johannesburg Regional Court.

The court was told the two books, Zorba the Greek by Nikos Kazantzakis and Go Down Moses by William Faulkner, were found in Dr Aggett's cell at John Vorster Square on February 5.

Professor Jan Plomp, a professor of psychiatry at the University of Pretoria, said it was possible that two passages on the open pages may have contained a last message.

The first passage from "Zorba" reads: "Every minute death was dying and being reborn, just like life. For thousands of years, young girls and boys have danced beneath the tender foliage of the trees in Spring — beneath the poplars and firs, oaks, planes and slender palms — and they will go on dancing for thousands more years, their faces consumed with desire. Faces change, crumble, return to earth but others rise to take their places."

Professor Plomp said he interpreted this to mean that although generations and persons died, others rose to take their places.

Dr Aggett may have implied that others would complete the task he had set for himself.

The passage from Go Down Moses reads: "... He told in the book how He created the earth, made it and looked at it and said it was all right, and then He made man. He made the earth first and peopled it with dumb creatures and then He created man to be the overseer on the earth and to hold suzerainty over the earth and the animals on it in His name, not to hold it for himself and his descendants' inviolable title for ever, generation after generation to the oblongs and squares of the earth, but to hold the earth mutual and intact in the communal anonymity of brotherhood and all the fee he asked was pity and humility and sufferance and endurance and the sweat of his face for bread."

Professor Plomp said the text suggested that man did not have the right to break up the earth into small blocks and to deny possession of it to others, but should own the earth in brotherhood.

The passage possibly contained a reference to socialist views Dr Aggett may have held.

Proceeding.

# Naude refuses to appeal against ban

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Rdm 2/11/82

By ANTON HARBER

THE banned Afrikaner minister Dr Beyers Naude will not appeal against his latest banning order because this would "lend credibility to a charade of justice".

Dr Naude's attorney, Mr Raymond Tucker, said in a statement yesterday the silenced cleric would play no part in an action that implied acceptance of the system of banning without defence.

And Sapa reports from Cape Town that yesterday the Rev David Russell, in his first public statement since his banning order expired on Sunday, condemned the pass raids in the Cape.

The five-year order was combined with house arrest. No new order has been issued on Mr Russell, an Anglican priest. Following a report in a Sunday newspaper, he has accepted that he is no longer banned.

Mr Russell paid tribute to people whose banning orders were extended, such as Dr Naude, former head of the Christian Institute.

Mr Russell said that however much his banning order had restricted him, it had been impossible not to respond to the pain around him.

"The most vivid thing in my mind is a recent picture in the Press of a mother scrambling into a van after a pass raid. She has a baby on her back and is struggling to hold on to the baby's bottle.

"To that, I say God will bring down judgment on a society and the people responsible for such violence to humanity."

Mr Tucker's statement on Dr Naude, who was served with a banning order last week when his first order expired, said he would not make representations to the Minister of Law and Order, Mr Louis le Grange, or to the Review Board.

The statement included a sharp attack on the newly created Review Board, saying a banned person has no more protection under the law than before the creation of the review process.

Dr Naude, who turned from a promising career in the Broederbond and the Nederduitse Gereformeerde Kerk to the outspoken Christian Institute, was banned for five years during the October 1977 clampdown on opposition organisations.

Mr Tucker said Mr Le Grange had given no reasons for the banning order and Dr Naude had never had a chance to account for his conduct.

The Black Sash said in a statement yesterday that in banning Dr Naude again, the Government was giving the lie to its own stated intention of introducing change towards a more just society.

The Sash will be demonstrating in Jan Smuts Avenue, Johannesburg, today, saying if the Government means reform, it must unban Dr Naude, stop pass raids and removals, it must restore *habeas corpus*, control Security Police and include blacks in government.

(329) RDM 21/6/82

# Aggett 'was not deprived of sleep'

By ANTON HARBER

IF DR Neil Aggett slept for 12 hours during his 62-hour interrogation session, as police have claimed, this was not adequate, the Johannesburg Regional Court heard yesterday.

Professor Jan Plomp, associate professor of psychiatry at the University of Pretoria and chief psychiatrist at Weskoppies, was giving evidence for a second day as the final witness at the inquest on Dr Aggett, who died in detention.

But he also said the fact that Dr Aggett had spent the four days after this lengthy interrogation writing a statement showed he was not suffering from the effects of sleep deprivation.

The contents of that statement, and the complaint of assault he made to the police, also indicated no sign of the effects of sleep deprivation, assault or shock torture, the court was told.

Dr Aggett complained four days after the interrogation session — and only hours before he died — that he had been kept awake and tortured for the 62 hours.

Prof Plomp said the contents of the statement were neat, interesting and well ordered and, apart from the wrong numbering of one paragraph, gave no sign of the likely effects of sleep deprivation.

He said it was common practice for a psychiatrist to judge a patient's condition by asking the patient to write something in his own handwriting. Dr Aggett's handwriting showed no sign of disorientation, lack of concentration or tiredness.

There was nothing to indicate he could have been like a "zombie", as a number of former detainees had testified.

Prof Plomp said that Dr Aggett would only have worked off the effects of sleep deprivation about three days later, but these effects would have been worsened if he had also been assaulted.

He agreed with Mr Pieter Schabort, SC, for the Minister of Law and Order, that if Dr Aggett had been allowed to sleep, shower, eat and exercise, as the police claimed, his condition would have been more favourable than the testimony of the other detainees indicated.

Prof Plomp agreed with Mr George Bizos, SC, for the Aggett family, that if the picture given by other detainees — that Dr Aggett was sluggish, walking with a stoop and avoiding contact with his friends — was true, there had been definite signs of extreme depression.

Mr Bizos asked if it was possible, as had been suggested earlier, that Dr Aggett could have presented a picture of depression to detainees and a picture of health and happiness to policemen.

Prof Plomp replied that if his depression had been genuine, this would not have been possible, but it would be different if he were pretending.

# Aggett's sleep 'adequate'

Cape Times 2/11/82

329

**Own Correspondent**

JOHANNESBURG. — If Dr Neil Aggett slept for 12 hours during his 62-hour interrogation session, as police have claimed, this would not have been adequate, the Johannesburg Regional Court heard yesterday.

Professor Jan Plomp, associate professor of psychiatry at the University of Pretoria and chief psychiatrist at Weskoppies, was giving evidence for the second day as the final witness at the inquest into Dr Aggett's death in detention.

But he also said the fact that Dr Aggett had spent the four days after this lengthy interrogation writing a statement showed he was not suffering from the effects of sleep deprivation.

## 'Neat' statement

Professor Plomp said the contents of the statement were neat, interesting, well-ordered and, apart from the wrong numbering of one paragraph, gave no sign of the likely effects of sleep deprivation, assault or shock torture.

He said Dr Aggett's handwriting showed no sign of disorientation, lack of concentration or tiredness. There was nothing to indicate he could have been like a "zombie" as a number of former detainees had testified.

## 'Future concern'

Professor Plomp said Dr Aggett would have worked off the effects of sleep deprivation about three days later. He agreed with Mr Pieter Schabort SC, for the Minister of Law and Order, that if Dr Aggett had been allowed to sleep, shower, eat and exercise as the police had claimed, his condition would be more favourable.

The fact Dr Aggett had read, corrected and signed his complaint of assault showed he was unlikely to be in a bad state. On the contrary, it showed he was concerned with his future, since he expected something to result from his action, Professor Plomp said.

Professor Plomp agreed with Mr George Bizos, SC, for the Aggett family, when he said eight out of 10 suicides give clues of their impending self-destruction. However, he said these clues were often cryptic and could only be recognised in restrospect.

He also agreed if the picture given by other detainees — that Dr Aggett was sluggish, was walking with a stoop and avoiding contact with his friends — was true, there were definite signs of extreme depression.

## Recommended

As a psychiatrist, he would have recommended that person be moved to another environment for treatment.

Mr Bizos asked if it was possible, as had been suggested earlier, that Dr Aggett had presented a picture of depression to detainees and a picture of health and happiness to policemen.

Professor Plomp replied if his depression had been genuine, this would not have been possible, but it would be different if he were pretending to be depressed.

(329)

Star 2/11/82

# Woods at party to celebrate restrictions

**Pretoria Bureau**

Notices restricting three South Africans in exile will appear in Friday's Government Gazette.

This was confirmed today by sources in the Department of Law and Order.

The three are the former editor of the East London Daily Dispatch, Mr Donald Woods, the Rev Theo Kotze and the Rev Brian Brown.

Previous banning orders on them expired on Sunday.

The source confirmed the Rev David Russell of Cape Town will not be rebanned.

AP reports from New York that Mr Woods, celebrated the renewal of his restriction order at a party for Senator Edward Kennedy of Massachussets.

Atlanta's Mayor, Mr Andrew Young, was also at the eve-of-election party in Boston where the two American politicians toasted the re-release in America of Mr Woods' autobiography, "Asking for Trouble."

The former editor, who fled South Africa with his family after he was banned in 1977, is in the US partly to promote his book and partly in connection with the anti-apartheid group, the Lincoln Trust, which he founded.

The group works to increase diplomatic and media pressure on South African embassies abroad for the abolition of apartheid.

Senator Kennedy and Mr Young, the former US Ambassador to the United Nations, are members of the international support committee of Mr Woods's group. So are former Vice-President Walter Mondale, the former president of the World Bank, Mr Robert Macnamara, and former US Senator Mr George McGovern.

c.f. ↗

Cos Push Infl.

mistake it

Money illusion AP ↗ nominal wages → more people taking jobs.

infl ↓ inv

① Short-term C's → undersed

② Even if undersed, not reliable. many lags.

Savings a/cs.

# Court told of Aggett books

By Alex Ball

Dr Neil Aggett might have left a last message in the form of two books found open in his cell, a Johannesburg inquest court heard today.

Professor Jan Plomp told the inquest on Dr Aggett who died in detention that "Zorba the Greek" by Nikos Kazantzakis and "Go Down Moses" by William Faulkner were found in Dr Aggett's cell at John Vorster Square on February 5.

Professor Plomp, a professor of psychiatry at the University of Pretoria, said it was possible that two passages on the open pages might have contained a last message.

The passage from "Zorba" reads, "Every minute death was dying and being reborn, just like life. For thousands of years, young girls and boys have danced beneath the tender foliage of the trees in spring' — beneath the poplars and firs, oaks, planes and slender palms — and they will go on dancing for thousands more years, their faces consumed with desire. Faces change, crumble, return to earth, but others rise to take their places."

Professor Plomb said he interpreted this to mean that although generations and persons die, others rise to take their places.

He said Dr Aggett might have implied that others would complete the task he had set for himself.

The passage from "Go Down Moses" reads: "... he told in the Book how He created the earth, made it and looked at it and said it was all right, and then He made man ... to be overseer of the earth... ... not to hold it for himself and his descendants inviolable title for ever."

The text suggested, Professor Plomp said, that man does not have the right to break up the earth into small blocks and to deny possession of it to others.

There was possibly a reference in the passage to socialist views Dr Aggett might have held, he said.

(Proceeding)

## New carrier

WASHINGTON — The US Navy has awarded a R300-m contract for work to start on a fifth US nuclear aircraft carrier. — Reuter.

lost.

"This is an indication of what is going on in the professional driving field and it is something the AA has been worried about for a long time.

"People are not trained properly, yet they are let loose on our roads to create havoc."

It was frightening to think that in two years half the heavy trucks on South African roads would be involved in a crash, he said.

The whole process of driver training and testing needed close examination.

Illegal or forged licences, and licences obtained in neighbouring states, could all have a bearing on the problem, he said.

"The heavy goods vehicle licence is a passport to a source of income and consequently it is logical to deduce many people will try anything to get their hands on one."

The seriousness of the situation was indicated in tests on 500 licensed professional truck drivers at Krugersdorp. A training centre recommended that fewer than one percent of the drivers were eligible for employment.

The AA described the results as appalling.

Mr Rall said that in Britain accidents involving medium and heavy goods vehicles had been cut by half during the past 10 years.

British road safety experts put the improvement down to:

- The strict enforcement of the number of hours a driver could be at the wheel.
- Higher standards of licensing and testing drivers.
- The thorough annual testing of vehicles.
- Truck design improvements.

Mr Rall said the number of hours driven was not controlled in South Africa and trucks were not thoroughly tested every year.

The main accused in th face with a ha

By Gavin Engelbrecht, West Rand Bureau

Three brothers and a friend who were arrested in a police swoop last week appeared in the Roodepoort Regional Court yesterday on charges of armed robbery with aggravating circumstances.

Dirk Deysel (23) of Petrol Street, Helicon Park, Randfontein Hermanus Stephanus Deysel (21) of Crest-hill, Joubert Park, Johannesburg, Alwyn Jacobus Groenewald (20) of Fourth Avenue, Roodepoort North, and Mr Joseph Jurgens Deysel (19) of South Roodepoort Mine, ap-

## Robot robbery

East Rand Bureau

In an incident reminiscent of highway banditry of old, a man was stabbed and robbed of R14 000 as he stopped at a red robot in Germiston yesterday morning.

Mr T P du Toit was driving down Knox Street with the takings from Ellerines store, where he works, on the back seat of his car.

When he stopped a man jumped into the car and stabbed him twice before grabbing the money.


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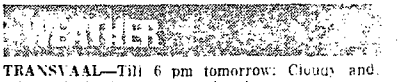


**TRANSVAAL**—Till 6 pm tomorrow: Cloudy and cold with further rain or thundershowers

Temperatures and rainfall for the 24-hour period ending

| | Max | Min | Rain mm |
|---|---|---|---|
| Bronkhorstspruit | 18 | 10 | 16.5 |
| Nelspruit | 19 | 11 | 1.5 |
| Potchefstroom | 15 | 9 | 5.6 |
| Springs | 17 | 6 | 11.0 |
| Nelspruit | 17 | 15 | 6.7 |

| | Max | Min | Rain |
|---|---|---|---|
| Vereeniging | [illegible] | [illegible] | [illegible] |
| Cape Town | [illegible] | [illegible] | [illegible] |
| Durban | [illegible] | 1 | 1.5 |
| Port Elizabeth | [illegible] | 16 | — |
| East London | 18 | 11 | — |
| Bloemfontein | [illegible] | 5 | 5.8 |
| Upington | [illegible] | [illegible] | [illegible] |

**JOUBERT PARK** — Today: 8 am: 16 deg C [illegible] 17 deg C [illegible]
Yesterday: Maximum 17 deg C [illegible]
Rainfall: 15 [illegible]

**SUNSET** today: 18.24; sunrise tomorrow: [illegible]
tomorrow: 18.56

**ROUND THE WORLD**:

| | Max | Min |
|---|---|---|
| [illegible] | [illegible] | [illegible] |

# Aggett's death was 'induced by police'

By Alex Ball

Two security policemen, Major Arthur Benoni Cronwright and Lieutenant Stephen Peter Whitehead, were responsible for the death of Dr Neil Aggett and should be charged with culpable homicide, counsel for the Aggett family argued in the Johannesburg Regional Court yesterday.

Mr George Bizos SC said Major Cronwright, the former chief interrogator at John Vorster Square, was responsible because he had been in overall charge of Dr Aggett's interrogation and Lieutenant Whitehead because he had been in control of Dr Aggett during the last 10 days of his life and had subjected him to intensive interrogation. This included assaults, forced exercise, sleep deprivation and mental ill-treatment.

It was clear, Mr Bizos said, Dr Aggett had taken his life by hanging himself in the early hours of February 5, but he would argue that the suicide was induced by ill-treatment.

The Security Police had a duty to ensure a detainee was released in the same condition in which he was taken into detention.

Instead of observing their duty of care to Dr Aggett Major Cronwright and Lieutenant Whitehead had subjected him to the "most extreme physical and mental ill-treatment," it was argued.

Mr Bizos asked the magistrate, Mr P A J Kotze, to accept the evidence of a former detainee, Mr Maurice Smithers, who said he had seen Dr Aggett being tortured in a 10th floor office on January 25.

Mr Smithers said he had seen Dr Aggett being forced to exercise while beaten with what looked like a rolled-up newspaper.

His evidence had been corroborated by another detainee, Mr Gabriel Ngwenya, who said he had seen two security policemen, Warrant Officer D Carr and Warrant Officer K de Bruin, "aggressively looking" for Dr Aggett on the 10th floor.

**DISBELIEF**

Mr Bizos said Lieutenant Whitehead, who was assigned to the surveillance of Dr Aggett for three years, had been convinced Dr Aggett was not telling the truth. From January 25 until his death Dr Aggett had been subjected to daily interrogation, including a 62-hour spell between January 28 and 31.

Although Lieutenant Whitehead disbelieved statements made by Dr Aggett he had not confronted him about them and instead "broke him down" and forced him to make admissions, Mr Bizos said.

He contended Dr Aggett would be alive if his complaints of ill-treatment had not been handled in a "flat-footed, lackadaisical manner."

A complaint of assault made by Dr Aggett on January 18 was only taken up a week later. When Dr Aggett complained again on February 4, he was berated by Lieutenant Whitehead for causing trouble.

On two occasions inspectors of detainees had been refused access to Dr Aggett.

Mr Bizos said the sinister inference could be drawn that inspectors were deliberately prevented from seeing detainees.

Security policemen felt they were immune from prosecution and would rather commit perjury than "let the side down," he said.

Argument continues today.

# Police guilty of Aggett's death, says Bizos

(329)

By ANTON HARBER

MAJOR Arthur Cronwright, chief interrogator at John Vorster Square, and Lieutenant Steven Whitehead, the man who decided to subject Dr Neil Aggett to "intensive interrogation", were guilty of culpable homicide, the Johannesburg Regional Court was told yesterday.

Mr George Bizos, SC, for the Aggett family, said this yesterday during his final argument at the inquest on Dr Aggett, who died in detention.

Reading from a 180-page typed document, Mr Bizos conceded that Dr Aggett committed suicide.

But, he said, Dr Aggett would not have taken his life if not for his 70-day detention and treatment at the hands of the Security Police.

Mr Bizos attacked police for their treatment of Dr Aggett's complaints of assault, saying proper investigation would, "in all probability" have saved the detainee's life.

He criticised the district surgeon Dr Norman Jacobson for his failure to properly investigate a detainee's claims of torture.

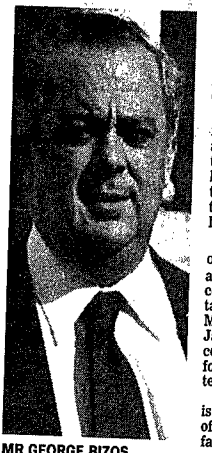
Mr Bizos also called into question the credibility of a number of police witnesses, describing parts of their evidence as fatuous, false, inconsistent and given in a "parrot-like fashion".

He accused them of ignoring Dr Aggett's complaints, attempting to keep them from the court and using untruthfulness to "unlawfully prevent" him from seeing an inspector of detainees, a magistrate or a doctor.

Such a visit was also likely to have saved his life, he said.

Those responsible for the "miserable state to which Dr Aggett had been reduced" were criminally responsible for his death, he said.

Maj Cronwright was in overall charge of the investigation and interrogation and so bore responsibility for the treatment of detainees. He was also fully aware of the details of Dr Aggett's interrogation, Mr Bizos said.



MR GEORGE BIZOS
Police knew the danger

Lieut Whitehead was in direct control of Dr Aggett's interrogation, in particular during the critical last week of his life, and was the person who decided to "intensify" Dr Aggett's final interrogation.

Mr Bizos argued that these two officers were fully aware of the dangers of a detainee becoming depressed and considering suicide. But the assurances of the Minister of Law and Order, Mr Louis le Grange, that "reasonable precautions" had been taken to prevent a suicide, were not well founded.

Dr Aggett was a detainee over whom the police had almost absolute power, and they therefore had a special responsibility for his well-being, the court heard.

"The evidence establishes that the circumstances of Dr Aggett's detention and interrogation, including physical ill-treatment, resulted in his decision to take his own life.

"The Security Police, and in particular Maj Cronwright and Lieut Whitehead, are therefore guilty of culpable homicide because of what they themselves did or what they allowed others to do to Dr Aggett," Mr Bizos said.

The detainee's complaint of assault, sleep-deprivation and shock torture had been corroborated by former detainees Mr Morris Smithers, Mr Sisa Njikelana and Mr Jabu Ngwenya. A wound he complained about was also found during the post mortem, he said.

"If Mr Smithers' evidence is accepted, the whole house of cards of the police story falls to the ground," he said.

Had a proper investigation of this complaint been conducted, "and not simply by the timid Sergeant Blom", it was unlikely Dr Aggett would have taken his life.

His complaint became a slow letter that took seven days to travel half a kilometre from the magistrate to police headquarters.

Those who ill-treated detainees in John Vorster Square were not likely to be asked to account for their actions beyond being asked to write a statement, he said.

Immediately after Dr Aggett's later complaint, the policemen involved were informed and so given an opportunity to cover their tracks, he argued. They knew no objective evidence of the assault could be produced.

He added that it would be wrong for the court to remain silent on the procedural safeguards that applied to detainees, if these were found to contribute to the death.

Argument continues today.

● See Page 7

# SP theory on Aggett fabricated — Bizos

By Alex Ball,
Court Reporter

A police theory on why Dr Neil Aggett committed suicide was a fabrication, counsel for the Aggett family argued today at a Johannesburg Regional Court inquest.

Mr George Bizos, SC, said it was quite improbable that Dr Aggett had taken his life on February 5 because he had betrayed his friends in disclosures to Warrant Officer N Deetlefs on January 13.

He also rejected a claim that on January 14 Dr Aggett had overheard Major Arthur Cronwright and Lieutenant Stephen Whitehead discussing the sending of a telex to police headquarters to request authority to detain those he had named.

If the disclosures, said to consist of four pa es of notes, existed, the police were dishonestly hiding them.

He submitted that a claim of privilege for the document, on the grounds of public interest or State security, was spurious.

Mr Bizos said all other statements made by Dr Aggett had been submitted to the inquest.

It was noteworthy that the Commissioner of Police had not authorised detention of the persons allegedly named by Dr Aggett, he observed.

Mr Bizos rejected as unlikely Dr Aggett's alleged disclosures to Warrant Officer Deetlefs, who had never interrogated him.

If Dr Aggett had betrayed his comrades, this was because he had been forced by ill-treatment to make admissions or falsely implicate others, Mr Bizos said.

● See Page 9.

# Ciskei court told of 'tortured mind'

THE Ciskei Supreme Court was told yesterday a 52-year-old detainee had complained to a prison doctor that Security Police had "tortured his mind" and that he had to be admitted to the Komani hospital in Queenstown for mental observation.

The submission was made by the defence counsel, Mr T K Moerane, at the trial in Zwelitsha of Mr William Duna (31), Mr Dumisani Maninjwa (31), Mr Bayi Keye (52), and Mr Luyanda Mayekiso (23).

They are appearing before Mr Justice D S de Wet charged under the Terrorism Act. At an earlier hearing the four Mdantsane men pleaded not guilty.

Mr Moerane alleged that Mr Keye was assaulted by the Security Police, was suspended from a rod between two tables and was kicked in the ribs.

During the interrogation Mr Keye became "mentally disturbed" and showed signs of abnormal behaviour, he submitted.

Mr Moerane maintained that Mr Keye became unconscious through ill-treatment. He told the court that after Mr Keye lodged a complaint with the prison doctor he was confronted by a Warrant Officer Nickelson and a Security Policeman, named as Mr A Madliwa, and was assaulted.

THE ARGUS, WEDNESDAY NOVEMBER

# Aggett's death: Police 'fabrication'

329

ARGUS 3/11/82

**Argus Correspondent**

JOHANNESBURG. — A police theory on why Dr Neil Aggett committed suicide was a fabrication, counsel for the Aggett family argued today in the inquest court.

Mr George Bizos, SC, said it was totally improbable that Dr Aggett took his life on February 5 because he had betrayed his friends in disclosures he made to Warrant Officer N Deetlefs on January 13.

He also rejected a claim that on January 14, Dr Aggett overheard Major Arthur Cronwright and Lieutenant Stephen Whitehead discussing the sending of a telex to police headquarters to request authority to detain those he had named.

**DISCLOSURES**

"If the disclosures, which are said to consist of four pages of notes, exist, the police are dishonestly hiding them behind a claim of privilege," Mr Bizos said.

He submitted that a claim of privilege for the document on the grounds of public interest or State security was spurious and was an attempt to hide the truth that the document did not exist.

Mr Bizos said all other statements made by Dr Aggett had been submitted to the inquest.

It was noteworthy that the Commissioner of Police had not authorised the detention of the persons allegedly named by Dr Aggett.

**COMRADES**

Mr Bizos rejected as unlikely that Dr Aggett had made dislosures to Warrant Officer Deetlefs who had never interrogated him or been involved in the investigation.

If Dr Aggett had betrayed his comrades, this was because he had been forced by ill-treatment to make admissions or falsely implicate others, Mr Bizos said.

It was inconceivable that Dr Aggett had presented a "mask of contentment" to security policemen and yet his fellow detainees noted a progressive deterioration in his condition.

Mr Bizos asked the magistrate, Mr P A J Kotze, to accept the evidence of former detainees that Dr Aggett was in a critical condition in the last week of his life.

**UNCOMFORTABLE**

Speaking about the personality of Lieutenant Stephen Whitehead, who took over Dr Aggett's interrogation after January 25, Mr Bizos said he was immature, aggressive and obsessive and showed in his questioning that he refused to accept answers which did not agree with the facts he thought he had.

He was uncomfortable in the witness box and refused to look at his cross-examiner.

"He was immature and did not have the stature of a lieutenant in the security police put in charge of an important interrogation.

**"VINTAGE"**

"This shows how dangerous it was to allow a lieutenant of three weeks' vintage such tremendous power as Lieutenant Whitehead had," said Mr Bizos.

Dealing with the evidence that Lieutenant Whitehead brought Dr Aggett food on Christmas Day and had taken him to the officers' mess, Mr Bizos said this was not out of character forLieutenant Whitehead as an obsessive and aggressive interrogator.

(Proceeding.)

# The struggle in Aggett's mind . . .

By ANTON HARBER

DR Neil Aggett may have committed suicide to draw attention to the system of detention, a Pretoria psychiatrist said yesterday.

Professor Jan Plomp, associate professor of psychology at the University of Pretoria and head psychiatrist at Weskoppies institute, was telling the Johannesburg Regional Court how he thought Dr Aggett may have been driven to suicide.

The short, dapper professor, who has listened to almost the entire inquest into Dr Aggett's death, was called as the final witness in the marathon hearings.

He said if Dr Aggett had overheard someone sending a telex which asked for the arrest of people he had named, as police witnesses have testified, this alone would have been enough to drive him to suicide.

He would have feared for his own future, felt guilt for implicating his friends and been uncertain of how his friends and colleagues would react to his action.

To say assault was the only factor that triggered his suicide would be wrong, Prof Plomp argued. Hearing this telex was as important and, if the allegations of assault were found to be untrue, could be considered alone as the trigger.

Prof Plomp also suggested that Dr Aggett may have decided to give other detainees the impression that he had been assaulted and was extremely depressed because he knew they would report this to the outside world.

Dr Aggett may have acted normally in front of police, which is why they reported no sign of his deterioration, he said.

The trade union leader may also have been so desperate after giving information to the police, thinking further action would be taken against him and his friends, that he decided to do something to throw a bad light on the Security Police, he said.

If this was his intention, Prof Plomp added, he had certainly succeeded through the inquest.

Prof Plomp differed from Professor Charl Vorster, the Rand Afrikaans University psychologist who gave evidence last week, when he said it was possible to find some significance in the two books found open on Dr Aggett's cell bed.

Prof Plomp said the first book — "Zorba the Greek" by Nico Kazantzakis — was open on a page that carried the theme that "there is always someone to carry on the work".

The second — "Go down, Moses" by William Faulkner — conveyed a sense of the community of brotherhood that would be in line with socialism, the court was told.

Cross-examining the witness, Mr George Bizos, SC, for the Aggett family, asked him if he had any specialised knowledge of handwriting. Prof Plomp said he none.

Earlier, the psychiatrist had said that the fact that Dr Aggett's handwritten final statement was neat and orderly indicated that he could not have been suffering from the effects of sleep deprivation.

When Mr Bizos asked him to look at the notes Dr Aggett had made during his interrogation, Prof Plomp described them as less legible, neat and orderly than this final statement.

The notes also included incomplete sentences and repetition, which Prof Plomp had earlier said would be expected from someone suffering from sleep-deprivation.

He added, however, that the notes were probably only written for Dr Aggett's own use and looked like they had been written more hurriedly.

# PAC exile held in Umtata?

D-Bisnes 31/1/82

UMTATA — The chief of the Transkei Security Police, Brigadier Leonard Kawe, yesterday said he could not comment "at this stage" on whether a Pan Africanist Congress exile, Mr Vuma Ntikinca, had been detained in Umtata (32) (N2)

Reliable sources in Maseru said yesterday Mr Ntikinca, 30, was believed to have been detained by Transkei security police while visiting Umtata.

Mr Ntikinca, a PAC branch secretary in Lesotho, is a former court prosecutor from Transkei's Willowvale district.

He fled to Lesotho in 1981 and was later joined by his wife. They have one daughter.

Mr Ntikinca and his wife were students at the National University of Lesotho.

Mrs Ntikinka is still in Lesotho, but was not available for comment yesterday.

Brigadier Kwe said there was an operational office of the security police which dealt with such matters and he could only comment after he had received a report from them. — SAPA.

## Inquest hears of books left open at poignant passages

# AGGETT LEAVES LAST NOTE

**DR NEIL AGGETT may have left a last message in the form of two books found open in his cell, the inquest into his death heard yesterday in the Johannesburg Regional Court.**

The court was told the two books, "Zorba The Greek" by Nikos Kazantzakis and "Go Down Moses" by William Faulkner, were found in Dr Aggett's cell at John Vorster Square on February 5.

Professor Jan Plomp, a professor of psychiatry at the University of Pretoria, said it was possible that two passages on the open pages may have contained a last message.

The first passage from "Zorba" reads: 'Every minute death was dying and being reborn, just like life. For thousands of years, young girls and boys have danced beneath the tender foliage of the trees in spring — beneath the poplars and firs, oaks, planes and slender palms — and they will go on dancing for thousands more years, their faces consumed with desire. Faces change, crumble, return to earth but others rise to take their places.'

Professor Plomp said he interpreted this to mean that although generations and persons die, others rise to take their places.

Dr Aggett may have implied that others would complete the task he had set for himself, he said.

The passage from "Go Down Moses" reads: 'He told in the book how he created the earth, made it and looked at it and said it was alright; and then he made man. He made the earth first and peopled it with dumb creatures and then he created man to be the overseer on the earth and to hold suzerainty over the earth and the animals on it in his name, not to hold it for himself and his descendants inviolable title for ever, generation after generation to the oblongs and squares of the earth, but to hold the earth mutual and intact in the communal anonomity of brotherhood and all the fee he asked was pity and humility and sufferance and endurance and the sweat of his face for bread.'

The text suggested, Professor Plomp said, that man does not have the right to break up the earth into small blocks and to deny possession of it to others, but should own the earth in brotherhood.

There was possibly a reference in the passage to socialist views Dr Aggett may have held, Professor Plomp said.

**PROCEEDING.**

**EVERY CANDIDATE MUST** enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

| | (1) | Internal (2) | External (3) |
|---|---|---|---|
| | 6 | 71 | |
| | 5 | 58 | |

| Examiners' Initials | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | |
| | | | | | | | | | | | |

**WARNING**

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Disqualification and to possible exclusion from the**

978 PD UCT AM7a

Vervaardig in Suid-Afrika

Wednesday, November 3, 1982 ★ CAPE Times 3/11/82 329

# Aggett inquest: '2 guilty'

**Own Correspondent**

JOHANNESBURG. — Major Arthur Cronwright, chief interrogator at John Vorster Square, and Lieutenant Steven Whitehead, the man who decided to subject Dr Neil Aggett to "intensive interrogation", were guilty of culpable homicide, the Johannesburg Regional Court was told yesterday.

Mr George Bizos, SC, for the Aggett family, said this yesterday during his final argument at the inquest into Dr Aggett's death in detention.

Reading from a 180-page typed document, which set out extensive legal argument laced with striking rhetoric, Mr Bizos conceded that Dr Aggett had committed suicide.

## 'Flatfooted'

But, he said, the trade unionist would not have taken his life but for his 70-day detention and his treatment at the hands of the security police.

Mr Bizos attacked police for their "flatfooted and lackadaisical" treatment of Dr Aggett's complaints of assault, saying proper investigation would "in all probability" have saved the detainee's life.

He criticized the district surgeon, Dr Norman Jacobson, for his failure to properly investigate a detainee's claims of torture.

Mr Bizos also called into question the credibility of a number of police witnesses, describing parts of their evidence as fatuous, false, inconsistent and given in a "parrot-like fashion".

He accused them of ignoring Dr Aggett's complaints, attempting to keep them from the court and using untruthfulness to "unlawfully prevent" him from seeing an inspector of detainees, a magistrate or a doctor.

Such a visit was also likely to have saved his life, Mr Bizos said.

The people responsible for the "miserable state to which Dr Aggett had been reduced" were criminally responsible for his death, he said.

Major Cronwright was in overall charge of the investigation and interrogation and so bore responsibility for the treatment of detainees. He was also fully aware of the details of Dr Aggett's interrogation, Mr Bizos said.

Lieutenant Whitehead was in direct control of Dr Aggett's interrogation, in particular during the critical last week of his life, and was the person who decided to "intensify" Dr Aggett's final interrogation.

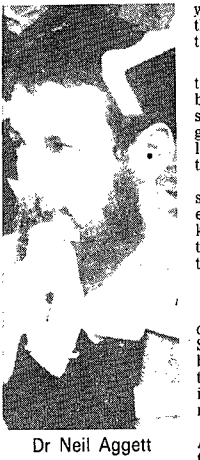
Mr Bizos argued that these two officers were fully aware of the dangers of a detainee becoming depressed and considering suicide. But the assurances of the Minister of Law and Order, Mr Louis le Grange, that "reasonable precautions" had been taken to prevent a suicide, were not well founded.

## 'Power'

Dr Aggett was a detainee over whom the police had almost absolute power, and they therefore had a special responsibility for his well-being, the court heard.

"The evidence establishes that the circumstances of Dr Aggett's detention and interrogation, including physical ill-treatment, resulted in his decision to take his own life.

"The security police, and in particular Major Cronwright and Lieutenant Whitehead, are therefore guilty of culpable homicide because of what they themselves did or what they allowed others to do to Dr Aggett."



Dr Neil Aggett

The detainee's complaint of assault, sleep-deprivation and shock torture had been corroborated by former detainees Mr Morris Smithers, Mr Sisa Njikelana and Mr Jabu Ngwenya. A wound he complained about was also found during the post-mortem, he said.

"If Mr Smithers's evidence is accepted, the whole house of cards of the police story falls to the ground."

Had a proper investigation of this complaint been conducted, "and not simply by the timid Sergeant Blom", it was unlikely he would have taken his life.

His complaint became a slow letter that took seven days to travel half a kilometre from the magistrate to police headquarters, the court was told.

## 'Covered up'

Those who ill-treated detainees in John Vorster Square were not likely to be asked to account for their actions beyond being asked to write a statement, Mr Bizos said.

Immediately after Dr Aggett's later complaint, the policeman involved were informed and so given an opportunity to cover their tracks, he argued. They knew that no objective evidence of the assault could be produced.

He added that it would be wrong for the court to remain silent on the procedural safeguards that applied to detainees, if these were found to contribute to the death.

Mr Bizos continues his argument today.

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**NOTE CAREFULLY**

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

**WARNING**

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

Sunday Times
4/11/82 (329)

# Inquest hears Aggett suicide unlikely

**A POLICE theory on why Dr Neil Aggett committed suicide was a fabrication, counsel for the Aggett family argued yesterday in a Johannesburg Inquest Court.**

Mr George Bizos SC said it was totally improbable that Dr Aggett took his life on February 5 because he had betrayed his friends in disclosures he made to Warrant Officer N Deetlefs on January 13.

He also rejected a claim that on January 14 Dr Aggett overheard Major Arthur Cronwright and Lieutenant Stephen Whitehead discussing the sending of a telex to police headquarters to request authority to detain those he had named.

If the disclosures which are said to consist of four pages of notes exist, the police were dishonestly hiding them behind a claim of privilege, Mr Bizos said.

He submitted that a claim of privilege for the document on the grounds of public interest or State security was spurious and was an attempt to hide the truth that the document did not exist.

Mr Bizos rejected as unlikely that Dr Aggett had made disclosures to Warrant Officer Deetlefs who had never interrogated him or been involved in the investigation, and said it was inconceivable that Dr Aggett had presented a "mask of contentment" to Security Policemen and yet his fellow detainees noted a progressive deterioration in his condition.

Speaking about the personality of Lieutenant Stephen Whitehead, who took over Dr Aggett's interrogation after January 25, Mr Bizos said he was immature, aggressive and obsessive and this showed in his questioning when he refused to accept answers which did not agree with the facts he thought he had.

"This shows how dangerous it was to allow a lieutenant of three weeks' vintage such tremendous power as Lieutenant Whitehead had," said Mr Bizos.

**PROCEEDING**

RDM 4/11/87

(329)

# UK and France hit out at rebanning of Naude

By DON MARSHALL
Pretoria Bureau Chief

THE governments of Britain and France yesterday joined the United States in condemning the rebanning of Dr Beyers Naude, who was banned last week for a further three years by the Minister of Law and Order, Mr Louis le Grange.

And the West German Embassy in Pretoria has made representations to the Department of Foreign Affairs concerning the banning of the 67-year-old former moderator of the Nederduitse Gereformeerde Kerk.

The banning order renewal was served on Dr Naude by two security policemen at his home in Greenside, Johannesburg, last Thursday — despite pleas to the Government to free the Afrikaner religious leader.

A spokesman for the British Embassy in Pretoria issued the following statement on the banning yesterday: "We regret the treatment meted out to Dr Beyers Naude. The British Government's dislike of such repressive measures against political opponents in South Africa is already well known."

The British, however, have made no representations to the South African Government.

The French Embassy said in a statement yesterday: "As a general principle, we deplore any measure which implies the deprivation of individual freedom imposed in the absence of any judicial decision and without giving the motives, not even to the persons concerned."

The Germans, who have not issued a statement of condemnation, confirmed that their diplomatic representatives had been in contact with the South African Department of Foreign Affairs.

"We made representations that Dr Beyers Naude should be left in peace. The South Africans showed some understanding for our concern and promised to look into the matter," a West German embassy official said.

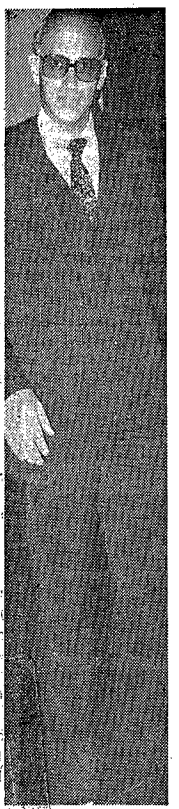
Last week in Washington, Mr John Hughes, a State Department Press spokesman, said the continued banning of Dr Naude, who was first banned in 1977, "only contributed to the cycle of violence and repression".

The American spokesman said the US government viewed banning as a fundamental violation of human rights and stated that the rebanning of Dr Naude for three more years was viewed in this context.

# Police counsel: Aggett suicide not foreseeable

Star 4/11/82

(329)



Mr Pieter Schabort, SC did not think it was necessary to produce the document.

By Alex Ball

Dr Neil Aggett's suicide could not have been foreseen and might have been an impulsive act, counsel for the police contended today in a Johannesburg Regional Court inquest.

Mr Pieter Schabort SC asked the magistrate, Mr P A J Kotze, to accept as the likely reason for Dr Aggett's suicide that he had betrayed his friends in a four-page statement he made on January 13.

He submitted that the evidence of Professor Jan Plomp, a psychiatrist from the University of Pretoria, was vital.

Professor Plomp said "the trigger" which might have led Dr Aggett to hang himself in his cell on February 5 was that he overheard two policemen discussing the sending of a telex to police headquarters to request authority to arrest those he had named.

Professor Plomp had said another likely reason was that Dr Aggett wanted to place the spotlight on South Africa and conditions in detention.

Mr Schabort contended this was not unlikely, in view of Dr Aggett's opinions and associations.

In reply, Mr George Bizos SC, for the Aggett family, said Professor Plomp's evidence hinged on Dr Aggett's four-page statement and the telex which had not been submitted to the inquest on the grounds that they were privileged documents.

Yesterday Mr Schabort said he had a ministerial certificate granting privilege for the documents under section 12 of the Internal Security Act.

Mr Bizos said this certificate should have been handed in to establish privilege at the inquest.

"The party refusing to produce a document cannot be compelled by us to produce it and we find it surprising that we should have to review the action. No proper privilege was contended and no proper privilege was established," he said.

Mr Bizos said the police counsel had undertaken to clear up the issue of privilege and they should bear the consequences of the documents not having been submitted.

Mr Kotze provisionally postponed the inquest until December 20. He said he hoped to deliver his verdict before the end of the year.

He promised to comment on all the evidence. Earlier Mr Bizos had asked him to give reasons for his finding and not only to give the verdict, a practice that has been followed in other inquests.

KDM 4/11/82 (329)

## Suicide not linked to 'assault' — State

# 'Nobody to blame for Aggett's death'

By ANTON HARBER

THERE was not enough evidence to find anyone responsible for the death of Dr Neil Aggett, legal representatives for the Minister of Law and Order said yesterday.

Mr Pieter Schabort, SC, delivering his final argument on the second last day of the marathon Aggett inquest, argued that even if the allegations of assault were proved, there was no connection between that and Dr Aggett's suicide.

Earlier, Mr Schabort surprised the court by announcing that Mr Louis le Grange, Minister of Law and Order, had issued a certificate granting privilege to certain documents which have been withheld from the court.

The documents involved are four pages of notes Dr Aggett made during interrogation, said by police to contain information crucial to their investigation, and one page of notes by an interrogator.

Police have argued that it was the information given in these documents that may have driven Dr Aggett to suicide.

Mr George Bizos, SC, for the Aggett family, interjected to say it was too late for such evidence to be submitted and it was surprising that it should have been kept hidden for so long.

Mr Schabort also told the court that to create sensation, former detainee Mr Morris Smithers fabricated his evidence, after Dr Aggett's death, of an assault on the trade unionist.

The note smuggled out of prison by Mr Smithers, which described an assault on Dr Aggett, was written after the death and appeared to have been thought up then for the first time, he said.

Mr Schabort pointed to the evidence of a psychiatrist that the suicide could be explained by the incident in which Dr Aggett allegedly overheard a telex being sent asking for the arrest of people he had named.

If this evidence was correct, he argued, it was not neccessary to link the allegations of assault with the suicide.

He also referred to a number of alleged contradictions in the evidence of former detainees.

Mr Auret van Heerden, for example, had told the court that Dr Aggett described an assault to him.

But only one of the many details given by Mr Van Heerden was reported by Dr Aggett himself when he complained of assault.

"Either there was no assault, or Dr Aggett was lying in his statement of complaint, or he lied to Mr Van Heerden, or Mr Van Heerden lied to the court," Mr Schabort said.

He asked why Dr Aggett had not brought his injuries, as described in the post mortem and in the evidence of a number of detainees, to the attention of the magistrate who had visited him.

"We submit that the court must conclude that there was no assault. If you look at the facts it is impossible to come to the conclusion that he was assaulted in any way," he said.

● See Page 11

# Suicide 'could not be foreseen'

ARGUS 4/11/82 329

**Argus Correspondent**

JOHANNESBURG.— Dr Neil Aggett's suicide could not have been foreseen and might have been an impulsive act, counsel for the police contended today in a Johannesburg Regional Court inquest.

Mr Pieter Schabort, SC, asked the magistrate, Mr P A J Kotze, to accept as the likely reason for Dr Aggett's suicide that he had betrayed his friends in a four-page statement he made on January 13.

He submitted that the evidence of Professor Jan Plomp, a psychiatrist from the University of Pretoria, was vital.

**TRIGGER**

Professor Plomp said "the trigger" which might have led Dr Aggett to hang himself in his cell on February 5 was that he had overheard two policemen discussing sending a telex to police headquarters to request authority to arrest those he had named.

Professor Plomp said another likely reason was that Dr Aggett had wanted to place the spotlight on South Africa and conditions in detention.

Mr Schabort said this was not unlikely in view of Dr Aggett's opinion and associations.

**PRIVILEGED**

Mr George Bizos, SC, for the Aggett family, said Professor Plomp's evidence hinged on Dr Aggettt's four-page statement and the telex, which have not been submitted to the inquest on the grounds that they are privileged documents.

Yesterday, Mr Schabort said he had a Ministerial certificate granting privilege for the documents under Section 12 of the Internal Security Act.

Mr Bizos said this certificate should have been handed in to establish privilege in the inquest.

Mr Bizos said the police counsel had undertaken to clear up the issue of privilege and should bear the consequences of the documents not having been submitted.

Mr Kotze provisionally postponed the inquest until December 20. He said he hoped to deliver judgment before the end of the year.

He said he would comment on all the evidence.

Earlier, Mr Bizos had asked him to give reasons for his finding and not to give only the verdict, a precedent that has been followed in other inquests.

## AGGETT INQUEST

# 'Closely-knit' SP accused of deceit

By ANTON HARBER

SECURITY Police believed it was their prerogative to deprive detainees of their rights and assumed the courts would always exonerate them, the Johannesburg Regional Court heard yesterday.

Mr George Bizos, SC, for the family of Dr Neil Aggett, said this during his lengthy final argument at the inquest into the trade unionist's death in detention.

Mr Bizos, combining extensive legal argument with striking rhetoric, also argued that the police officers involved were "a closely knit group whose loyalty to one another is greater than their respect for the truth".

He accused a number of them of deliberately lying in their evidence and of engaging in a conspiracy of silence on Dr Aggett's treatment.

Major Arthur Cronwright and Lieutenant Steven Whitehead — the two policemen Mr Bizos accused of culpable homicide — had admitted they were responsible for the mental and physical well-being of Dr Aggett, the court was told.

The two men gave no acceptable explanation of why Dr Aggett committed suicide and had both given false evidence about Dr Aggett's treatment and his condition shortly before his death.

The court had before it both a *prima facie* case and a balance of probabilty that these two had driven Dr Aggett to suicide by their acts or omissions.

Mr Bizos argued that even if the police version of Dr Aggett's interrogation was accepted, he had been subjected to exhausting interrogation in stretches of up to 18 hours.

The reasons given by policemen for the 62-hour interrogation were inconsistent, improbable and uncorroborated.

"The fundamental question which still arises is why, after all that had gone before, Dr Aggett suddenly made vital disclosures in this interrogation?"

The only explanation was that he was pressured unlawfully until he broke, the court was told.

It was significant that, when Dr Aggett laid his first complaint of assault, the next thing to happen to him was a further assault.

Mr Bizos was extremely critical of Lt Whitehead, who had kept Dr Aggett under surveillance for three years and controlled his interrogation. He described him as immature, ambitious, agressive and so obsessive that he refused to accept answers which did not conform to his own view.

"Contrast this with the fact that Dr Aggett was an intelligent, headstrong, determined, principled, idealistic person who was obviously not prepared to be driven to make concessions readily or easily or which were not in accordance with the facts, and the stage is set for a classic conflict," Mr Bizos said.

Lt Whitehead had obviously been uncomfortable during over two days in the witness box when he had refused to look at his questioner, was evasive and immature, the court was told.

His admission that he was partially responsible for the illegal entry of Dr Aggett's parents' home and the attempt to bribe their employee showed that he was prepared to misuse his position to flout the law and to commit perjury to conceal the true purpose of the incident.

Mr Bizos accused Maj Cronwright, the head of the investigation team, of a gross dereliction of his duty in not taking proper steps to protect the detainee.

The fact that police — "dishonestly hiding behind a claim of privilege" — refused to produce the documents which would back their explanation of the death shows they were not truthful about what Dr Aggett had told them, he said.

The police explanation for Dr Aggett's suicide was that he had overheard a telex being sent, asking for the arrest of people he had named.

But, Mr Bizos said, this telex was "so important and shattering" that the Commissioner of Police had not acted on it.

Contradictions in detainees' evidence of Dr Aggett's condition can be explained by the fact that they saw him at different times, he added.

"It is possible to say someone slipped on soap or banged their head on the wall, but it is very different when the court is confronted with the evidence of half a dozen detainees," Mr Bizos said.

Although Security Police had reason to feel safe from prosecution, the court's finding will clearly show that "we are all subject to the law of the land and its processes which protect the dignity and sanctity of human life," Mr Bizos concluded.

The inquest will conclude today.

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# Be an angel, youth told

Staff Reporter

AN 18-year-old youth, who robbed a man in Lansdowne Road in November last year, would have to "pretend to be an angel" while carrying out a sentence of community service, a Supreme Court judge said yesterday.

Collin Mandlenkozi Mdladla was sentenced to four cuts and four years' jail, suspended for five years on condition he was not convicted of any offence involving violence or dishonesty.

The suspended sentence also carried the condition that he do 240 hours of community service under the supervision of Nicro.

Because Mdladla is the breadwinner of his family he will do his community work only at weekends.

Mdladla was originally charged with murder and robbery, after the death of Mr Desmond Sampson on November 5 last year, and the taking of some of his belongings.

He was acquitted of murder, while his two co-accused, Ernest Vuyisile Witbooi, 22, and Mzwandile Samuel Bhimba, 24, were found guilty of murder and robbery with aggravating circumstances. Sentence is expected on Witbooi and Bhimba today.

## Clean record

Miss Justice Van den Heever said she took into account that Mdladla had a clean record, was only 17 at the time of the offence and that he was misled by older people.

She said the court intended giving him a "lesson" immediately in the form of cuts. He would then have a "sword over

# Aggett: SP feel safe in court, counsel says

CAPE Times 4/11/82 329

Own Correspondent

JOHANNESBURG. — Security Police believed it was their prerogative to deprive detainees of their rights and assumed the courts would always exonerate them, the Johannesburg Regional Court heard yesterday.

Mr George Bizos, SC, for the family of Dr Neil Aggett, said this during his lengthy final argument at the inquest into the trade unionist's death in detention.

Mr Bizos also argued that the police officers involved were "a closely knit group whose loyalty to one another is greater than their respect for the truth".

He accused a number of them of deliberately lying in their evidence and of engaging in a conspiracy of silence on Dr Aggett's treatment.

Major Arthur Cronwright and Lieutenant Steven Whitehead — the two policemen Mr Bizos accused of culpable homicide — had admitted they were responsible for the mental and physical well-being of Dr Aggett, the court was told.

The two men gave no acceptable explanation of why Dr Aggett committed suicide and had both given false evidence about Dr Aggett's treatment shortly before his death.

The court had before it both a *prima facie* case and a balance of probability that these two had driven Dr Aggett to suicide by their acts.

Mr Bizos was extremely critical of Lieutenant Whitehead, who had kept Dr Aggett under surveillance for three years and controlled his interrogation.

He described him as immature, ambitious, aggressive and so obsessive that he refused to accept answers which did not conform to his own view.

He had also obviously been uncomfortable in the witness box.

Mr Bizos accused Major Cronwright, the head of the investigation team, of a gross dereliction of duty in not taking proper steps to protect the detainee.

The fact that police — "dishonestly hiding behind a claim of privilege" — refused to produce the documents which would back their explanation of the death, shows they were not truthful about what Dr Aggett had told them, he said.

The police explanation for Dr Aggett's suicide was that he had overheard a telex being sent, asking for the arrest of people he had named.

But, Mr Bizos said, this telex was "so important and shattering" that the Commissioner of Police had not acted on it.

The inquest will finish today.

# Lack of evidence — Schabort

CAPE Times 4/11/82 329

Own Correspondent

THERE was not enough evidence to find anyone responsible for the death of Dr Neil Aggett, legal representatives for the Minister of Law and Order, Mr Louis le Grange, said yesterday.

Mr Pieter Schabort, SC, said in his final argument that even if allegations of assault were proved, there was no connection between this and his suicide.

Earlier, he suprised the court by announcing that Mr Le Grange had issued a certificate granting privilege to documents which had been withheld from the court.

They include four pages of notes Dr Aggett made during interrogation, said by police to contain information crucial to their investigation, and one page of notes made by an interrogator.

Police have argued that information in these documents may have driven Dr Aggett to suicide.

Mr Schabort also said that former detainee Mr Morris Smithers had fabricated his evidence of an assault on Dr Aggett after his death to create sensation.

The court had to be absolutely satisfied that the bulk of the evidence clearly showed mistreatment. There was not enough proof of this, he added.

He referred to the evidence from a psychiatrist that the suicide could be explained by the incident when Dr Aggett allegedly overheard a telex being sent asking for the arrest of people he had named.

If this was correct, it was not neccessary to link the allegations of assault with the suicide.

He also pointed out a number of alleged contradictions in the evidence of former detainees.

## Too late for classification

### DEATHS

**MILLER.** — Henry, passed away peacefully Monday 1 November. Sadly missed by his sorrowing wife and family. Funeral service at Riverside 7th Day Adventist Church, Klipfontein Road, Athlone at 1.30pm Thursday and thence to Plumstead cemetery.

**SHAPIRO.** — Hetty nee Michael, our dearest beloved mother and grandmother, passed away peacefully Wednesday 3 November. Sadly missed by Lionel, Freda, Ashna, Lou, Libah and grandchildren. Funeral at Pinelands No 2 Cemetery at 2pm on Thursday.

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# Brigadier: Transkei holding PAC man

UMTATA — The chief of the Transkei Security Police, Brigadier Leonard Kawe, yesterday confirmed that a Pan Africanist Congress exile, Mr Vuma Ntikinca, was detained by his men in Umtata last month.

He said Mr Ntikinca, a Lesotho university student, was detained on October 7.

Brig Kawe said it was hoped that Mr Ntikinca would appear in court soon. The police were still preparing the docket which would be handed over to the Attorney-General. — DDR.

# Detained G'town teenagers released

Post Reporter

GRAHAMSTOWN — Police last night released 11 teenagers who had been detained under the Internal Security Act after they had allegedly demonstrated at a Coloured Management Committee by-election.

Major Gerrie van Rooyen, police liaison officer for the Eastern Cape, today confirmed that the teenagers, aged between 12 and 16 years, had been detained yesterday afternoon but had been released into the care of their parents last night after the investigating officers had taken down their personal details.

They were allegedly part of a group standing with placards outside the Coloured Recreation Hall in Albany Road where voting was taking place.

Slogans denouncing the election candidates had been painted inside the hall.

Maj Van Rooyen said it was not yet certain when the 11 would appear in court.

# Aggett hearing: 6 weeks to weigh evidence

By Alex Ball

After 42 days in court and thousands of pages of evidence, the inquest on Dr Neil Aggett was adjourned yesterday to December 20 for the magistrate's finding.

Mr P A J Kotze said he would try to deliver his finding before the end of the year in what has become the longest and costliest inquest in South African history.

The issue in dispute is whether Dr Aggett, found hanged in his cell at John Vorster Square on February 5, was induced by ill-treatment at the hands of the Security Police to take his life.

Mr George Bizos, SC, counsel for the Aggett family, has argued that two police officers, Major Arthur Benoni Cronwright and Lieutenant Stephen Peter Whitehead, were responsible for Dr Aggett's suicide and should be charged with culpable homicide.

## IN CHARGE

Major Cronwright, he said, was responsible because he was in overall charge of Dr Aggett's interrogation and Lieutenant Whitehead because he had subjected Dr Aggett to intensive interrogation, which included electric shocks, assaults, forced exercise and mental ill-treatment.

Mr Bizos argued that Dr Aggett had been assaulted on January 4, 25 and 29 and that this ill-treatment had induced him to commit suicide in the early hours of February 5.

Former detainees have given evidence that Dr Aggett's condition progressively deteriorated until in the last week of his life, as one detainee said, he was a "zombie."

Counsel for the police, Mr Pieter Schabort SC, rejected these allegations. He contended the likely reason for Dr Aggett's suicide was that on January 13 he had betrayed his friends in disclosures allegedly made to Warrant Officer N Deetlefs.

Mr Schabort submitted that the "trigger" for the suicide was that on January 14 Dr Aggett had overheard Major Cronwright and Lieutenant Whitehead discussing the sending of a telex to police headquarters to request authority to arrest those Dr Aggett had named.

## PRIVILEGED

The disclosures, said to consist of four pages of notes, and the telex have not been submitted to the inquest because police say they are privileged documents containing secret information.

Mr Schabort said he had a ministerial certificate granting privilege for the documents.

Mr Kotze will have to work through thousands of pages of testimony from 27 policemen, nine former detainees and several expert witnesses.

If he finds that Major Cronwright and Lieutenant Whitehead were responsible for Dr Aggett's death, the inquest documents will be forwarded to the Attorney-General for a decision whether they will be charged.

# Reject fabrications, Aggett inquest told

By ANTON HARBER

HEARINGS at the marathon inquest into the death of Dr Neil Aggett ended yesterday with a call for the magistrate to reject the "fabricated and partisan" evidence of a number of former detainees.

The inquest, which lasted 42 days spread over six months, will reconvene on December 20 for the magistrate, Mr Petrus Kotze, to give his finding.

Yesterday Mr Pieter Schabort, SC, for the Minister of Law and Order, asked how Dr Aggett could have been kept standing during his interrogation — as he had claimed in a statement — when he had written so many notes.

Delivering his final argument, Mr Schabort said even if sleep deprivation had taken place, it had not been shown that the detainee had still been suffering from the after-effects when he died four days later.

There was also no evidence to show why Dr Aggett should fear further pressure from his interrogators, although the Aggett family had argued that such a fear could have driven him to take his own life, Mr Schabort added.

The detainees called to give similiar evidence at the inquest were not representative of all those being held at the time of Dr Aggett's death, he said.

He pointed to contradictions in the evidence of former detainees Mr Thabo Leruma, Mr Ismael Momoniat, Mr Keith Coleman and Mr Jabu Ngwenya and said their evidence should be treated with caution.

"The evidence from these detainees is totally irreconcilable with the objective evidence of Professor Jan Plomp."

Prof Plomp, a psychiatrist from the University of Pretoria, told the court there was no sign in the statement written by Dr Aggett that he had been suffering from the effects of sleep deprivation.

Mr Schabort raised the possibility Dr Aggett had foreseen the consequences of a suicide in detention and the outcry that would follow.

The question that had to be asked, Mr Schabort said, was whether a reasonable person would have been able to foresee the suicide.

There were many possible answers to this question, but unless the magistrate could give a definite and positive answer, no one could be held responsible for Dr Aggett's death.

Mr George Bizos, SC, for the Aggett family, said the police claim of privilege on certain documents was spurious and had never been properly proved. The result was the evidence they gave in relation to these documents remained untested and should therefore be dismissed by the court.

Mr Dennis Kuny, also for the Aggett family, said the police counsel had not dealt with one crucial aspect — that the detainees had given their statements on Dr Aggett's condition while they were still being held and therefore could not communicate with each other.

The fact that the evidence was given so independently spoke more for the detainees' credibility than the minor contradictions in what they said, he argued.

Police lawyers had not explained why Dr Aggett had committed suicide if he had been as healthy and composed as described by police witnesses, he said.

# Detainees may be called to testify

ZWELITSHA — An order allowing the defence to consult with people held as potential state witnesses in a terrorism trial before they had been called by the state to give evidence, was handed down by Mr Chief Justice de Wet in the Ciskei Supreme Court here yesterday.

The order followed an application by defence advocate Mr M T Moerane, after the state had closed its case in a trial-within-a-trial to determine the admissibility of a confession alleged to have been made by one of four Mdantsane men appearing on charges of participating in terrorist activities, being members of the ANC and possessing banned literature.

Mr William Mabone Duna, 31, Mr Dumisani Bizette Maninjwa, 31, Mr Jeffrey Bayi Keye, 52, and Mr Luyanda Patrick Mayekiso, 23, have pleaded not guilty to all the charges.

In handing down the order Mr Justice de Wet said both the state and defence advocates agreed there was no authority on the matter and such an order was not known to have been given before.

Earlier when the Ciskei attorney general, Mr W. F. Jurgens, who is prosecuting, said he had closed the state's case, Mr Moerane said several witnesses who, in the opinion of the defence, might give relevant evidence on the matter, were potential state witnesses.

He mentioned two who had said in court they had been assaulted and had been discredited by the state.

Mr Moerane said there were six others whose evidence might be relevant to the investigation system used in the case.

"With regard to all these witnesses the defence application is to have them called. But before they are called, the defence wants an opportunity to consult with them under whatever conditions may be set," Mr Moerane said.

Mr Jurgens opposed the application and argued that the people concerned were state witnesses and he had not heard of any instance of witnesses of one party being made available to another party before the first party had used them.

Mr Justice De Wet cut in and said: "On the aspect of making a statement freely and voluntarily the defence must start the ball rolling in the matter involving accused No.1 and No.2. Can the witnesses be kept away from the person who wants to use them on this matter?"

Mr Jurgens: "My submission, my Lord, is that this is premature at this stage and I may call them in rebuttal of evidence to be led by the defence."

Judge: "Take a civil case. This is a rule of practice and ethics too. It is that if I consult with your witness I do that in your presence.

"Is there any objection in law or practice that Mr Moerane must be allowed to see these witnesses in your presence only on the question of this particular issue to be decided?"

Mr Jurgens said it was a long established view in criminal matters that the defence had no right to speak to state witnesses without the permission of the state.

"If I decide not to call them I may release them." Mr Jurgens said.

Judge: "You would be entitled to consult with them before Mr Moerane did and you would know what their evidence would be. Then Mr Moerane could consult with them in your presence."

Mr Justice De Wet said he felt he might not refuse Mr Moerane the opportunity to see witnesses who might come up with evidence that proved Mr Mayekiso's statement might be true.

After an adjournment Mr Jurgens accepted the order could be made after Mr Justice De Wet had said his "sense of law" made him think the order should be made.

The hearing was yesterday postponed to February 28, 1983. — DDR.

Determ Parties
Price
Function
Inferior Good
Substitutes
Complements
Perfect Competition
'Rise' in Demand (or Supply)
'Increase in Quantity Demanded' (or Supplied)
Equilibrium
Maximum Price
Minimum Price
Rent Control
Minimum Wages Legislation
International Trade
Transport Costs
Tariff
Economic Rent.

# Detainees 'made up evidence'

Own Correspondent

JOHANNESBURG — Hearings at the marathon Aggett inquest ended yesterday with a call for the magistrate to reject the "fabricated and partisan" evidence of a number of former detainees.

The inquest, which lasted 42 days spread over six months, will reconvene on December 20 for the magistrate, Mr Petrus Kotze to give his finding.

Yesterday, Mr Pieter Schabort, SC, for the Minister of Law and Order, asked how Dr Aggett could have been kept standing during his interrogation — as he claimed in a statement — when he had written so many notes.

Delivering his final argument, Mr Schabort said that even if sleep deprivation had taken place, it had not been shown that the detainee was still suffering from the after-effects when he died four days later.

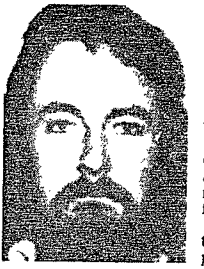
## No evidence

There was also no evidence to show why Dr Aggett should fear further pressure from his interrogators, although the Aggett family had argued that such a fear could have driven him to take his own life, Mr Schabort added.

The detainees called to give similiar fact evidence at the inquest were not representative of all those being held at the time of Dr Aggett's death, he said.

He said there were contradictions in the evidence of former detainees Mr Thabo Leruma, Mr Ismael Momoniat, Mr Keith Coleman and Mr Jabu Ngwenya and said their evidence should be treated with caution.

Mr Momoniat, for example, had described a bruise on Dr Aggett's head shortly before his death, but this had not shown up in the post-mortem.



Dr Neil Aggett

Mr Coleman told the court of two occasions when he had seen Dr Aggett in John Vorster Square, but was unable to say when or where these meetings had been.

It was most unlikely that Mr Auret van Heerden, another former detainee, had decided that Dr Aggett may have been suicidal, but had decided to only act on it the following day, Mr Schabort said.

"The evidence from these detainees is totally irreconcilable with the objective evidence of Professor Jan Plomp," he said.

Prof Plomp, a psychiatrist from the University of Pretoria, told the court that there was no sign in the statement written by Dr Aggett that he was suffering from the effects of sleep deprivation.

It was significant that only hours before his death, Dr Aggett gave a statement to a policeman in which he alleged he had been tortured.

Mr Schabort raised the possibility that Dr Aggett had foreseen the consequences of a suicide in detention and the outcry that would follow.

The question that had to be asked, Mr Schabort said, was whether a reasonable person would have been able to foresee the suicide.

There were many possible answers to this question, but unless the magistrate could give a definite and positive answer, no-one could be found to be responsible for Dr Aggett's death.

Mr George Bizos, SC, for the Aggett family, said the police claim of privilege on certain documents was spurious and had never been properly proved. The result was that the evidence they gave in relation to these documents remained untested and should therefore be dismissed by the court.

## 'Independent'

Mr Dennis Kuny, also for the Aggett family, said the police counsel had not dealt with one crucial aspect — that the detainees had given their statements on Dr Aggett's condition while they were still being held and therefore could not communicate with each other.

The fact that the evidence was given so independently spoke more for the detainees' credibility than the minor contradictions in what they said, he argued.

The police lawyers had also not dealt with the evidence of former detainees Prema Naidoo and Shirish Nanabhai, both currently serving sentences.

If their evidence was accepted, then it was clear that police had been lying and, therefore, would probably also be lying about Dr Aggett, the court was told.

They had also given no explanation of why Dr Aggett had committed suicide if he was as healthy and composed as described by police witnesses, Mr Kuny said.

# 'Swapogate' accused swears at magistrate

From BRUCE STEPHENSON

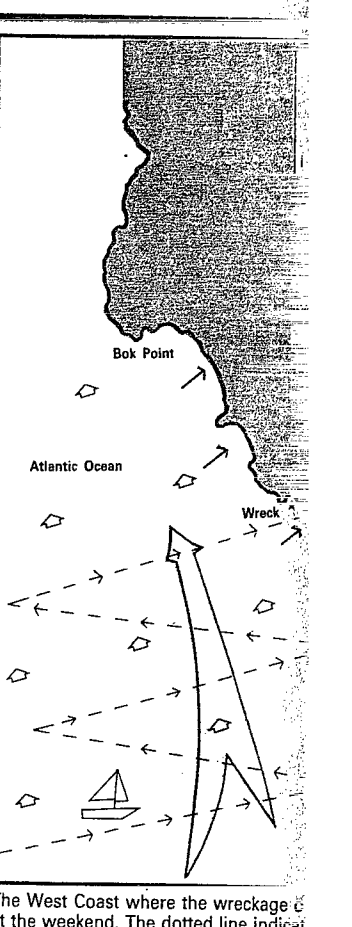
LONDON — Liverpool burglar Edward Aspinall, 23, one of three men facing charges in the "Swapogate" conspiracy case, swore at a magistrate in a fit of temper for three weeks.

The committal hearing has now been changed to November 18.

Mr Aspinall's outburst came when the magistrate asked him if he had any objection to custody being extended for a week.

# Red meat prices stabilize

THE effect of the Meat Board's recently withdrawn red-meat subsidy, which backfired when auction prices rose dramatically in the face of high demand, was less ap-




The West Coast where the wreckage c
at the weekend. The dotted line indica
ill-fated yacht as she battled to make h
south-easter

# Another vic the Cape o

By JOHN VAN DER LINDEN

**A GALE-FORCE south-easter, random onshore currents because of the upwelling of the Benguela current, incredibly bad luck and exhaustion may have all played a role in the wrecking of the British glassfibre sloop, Aroha, at Springfontein.**

**For centuries, this part of the Cape coast has been referred to as the Cape of Storms and with reason.**

**Hundreds of people have been shipwrecked on the Cape coast.**

**Gale-force winds, strong currents and poor visibility mentally and physically strain even the most experienced yachtsman.**

**Prolonged stress and heavy seas usually cause seasickness and exhaustion which in turn impair the yachtsman's judgment and actions.**

**Records show that when Mr Rome Ryott, 43, the ill-fated Aroha's skipper, contacted his mother on the radio on October 25, he was 50 nautical miles from Cape Town.**

# Methodists back Mayson petition

Own Correspondent

LONDON. — The president of the Methodist Conference in Britain, the Rev Norwyn E Denny, is backing a national petition launched by the Alliance of Radical Methodists in support of a former Methodist minister detained in South Africa on a charge of high treason.

The former minister is Mr Cedric Mayson, whose trial is scheduled for February 7 next year. He is charged with conspiring with the banned African National Congress.

The "Support Cedric Mayson and all South African detainees" petition is backed by four other prominent Methodists. They are the former president of the Conference, who two weeks ago preached at the centenary service of the Conference of the Methodist Church of Southern Africa, the Rev Dr John A Newton, Dr Theo Kotze and the African secretary of the British Council of Churches, the Rev Brian J Brown.

The Rev David Haslam of the Alliance of Radical Methodists is urging all Methodists in Britain to sign the petition because applying pressure in this way "really does make a difference", he said.

# Ciskei school inspector detained

PRESIDENT SEBE: Suggested civil servants analyse the homeland's progress.

**A CISKEI schools inspector has been detained by the homeland's Security Police after he wrote a critical assessment of Ciskei's progress since independence last year.**

Colleagues of Mr D F Kunjuzwa have expressed concern at the way he was detained only a short while after responding to President Lennox Sebe's suggestion that civil servants analyse the homeland's progress. In his assessment, according to colleagues, Mr Kunjuzwa was reasonably praiseworthy towards the Ciskei leadership and the work they had done since December 4.

"His big mistake was to touch Charlie," said one colleague referring to the bantustan's security chief Lieutenant-General Charles Sebe recently promoted to Commander General of Ciskei Armed Forces.

Kunjuzwa suggested that the general be moved out of his active post and onto the Cabinet.

The colleague said that that was fatal: "The general loves his time in the field and thought this must be some kind of plot to oust him."

General Sebe was not available for comment but officers in the Ciskei Central Security Service (CCSS) confirmed that Mr Kunjuzwa had been and was still being held. They would not say under which law he was being held, how long he would be held for or whether his detention had anything to do with his assessment.

Senior officers in the CCSS, however, confirmed unofficially that Mr Kunjuzwa had angered General Sebe and was being questioned to "find out what he's up to". According to the officers, Mr Kunjuzwa was not the brains behind the suggestion to shift General Sebe to the Cabinet.

"This is where the problem sets in," said one source. "Kunjuzwa insisted that the person behind it isn't who the general thinks it is but it seems we're going to keep him until he says the right thing even if it isn't true." —Own Correspondent.

# Ciskei confirms arrest of clergyman

**CISKEI'S head of security, Lieutenant General Charles Sebe, has confirmed the detention of a 58-year-old clergyman from Alice.**

The Reverend Themba Sibeko, who was taken from his home at Lovedale near Alice on Friday night, was being held under Ciskei's security legislation, General Sebe said.

Mrs Sybil Sebeko (55), said four Ciskei Central Intelligence Services officers had picked up her husband on Friday at 10pm. The officers had told her he was being taken in for questioning and would be brought back soon.

Mrs Sibeko said she had been unable to establish where her husband was being held and had not been able to take him tablets he needed for a blood pressure complaint.

"I also don't know where to take his clothes. He left here in pyjamas," she said.

Mrs Sibeko said her husband, who works for a Johannesburg-based self-help organisation called Shade, had recently returned from a three-week visit to Cape Town.

The security officials had searched a room occupied by former Fort Hare students earlier in the week, Mrs Sibeko said. Books and documents had been confiscated.

## Bizarre twist in the tragedy that led to death in police detention

# Aggett's final 70 days

### THE SUFFERING OF THE YOUNG WOMAN DOCTOR WHO LIVES ON WITH THE MEMORY OF THE MAN WHOSE LIFE SHE SHARED

NEIL AGGETT'S parents escaped the Mau Mau horror in Kenya by emigrating to South Africa in 1964.

But it was as if the East African nightmare had followed them here. By bizarre coincidence, almost two decades later — on February 5 this year — their youngest child was found throttled to death in his John Vorster Square police cell, a Kenyan "kukoi" around his neck.

The kukoi is a length of cloth used as a sleeping garment.

In the course of the inquest he has emerged as a strong, highly intelligent, dedicated, honest and headstrong man in the prime of his life, making plans to study further.

What made him commit suicide in that small, cold cell with only a naked globe as witness? What happened during Neil Aggett's 70 days of detention?

Counsel for the family at the inquest, which has now lasted seven months, suggested in this week's final days of the hearing he killed himself to escape what had become the nightmare of security police detention.

## 'Blackening' police

But the last witness, Weskoppies chief psychiatrist Professor Jan Plomp, claimed Dr Aggett could have committed suicide to blacken the name of the police by prompting an investigation into security police detention.

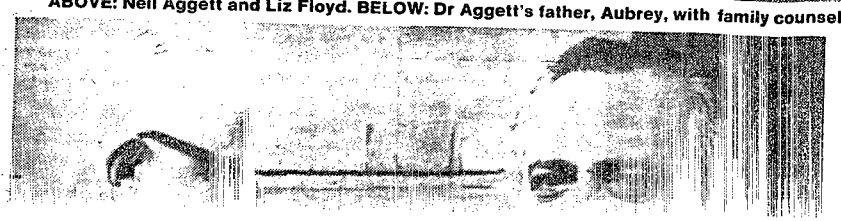
His view was echoed earlier by Mr Pieter Schabort, counsel for the Minister of Law and Order, who earlier frequently complained the inquest had turned into a commission of inquiry into the treatment of detainees, South Africa's security system, torture and interrogation.

Among the thousands of pages of evidence, which fill more than 20 volumes of court records and two filing cabinets, glimpses emerged of the sort of person Dr Aggett was and the type of people his interrogators are.

## Security system

Evidence about the treatment of detainees was often bizarre — some security detainees were allegedly beaten, tortured, deprived of sleep, humiliated, made to stand for hours, sometimes days, and abused.

Then afterwards their interrogators would sometimes take them on a "special treat" to the zoo, or for a braai, give them beers or birthday cake, take them for supper to the police me[illegible]



ABOVE: Neil Aggett and Liz Floyd. BELOW: Dr Aggett's father, Aubrey, with family counsel George Bizos — and mother Joy Aggett

FOR almost a year Liz Floyd has been like an object on a dissecting table, her torn insides exposed to the world, inexpertly pushed, probed and gawked at by her observers.

For Liz Floyd, the nightmare that began when security policemen awoke her and Neil Aggett in the early hours of last November 27, has no end.

The last time she saw her boyfriend and closest companion of seven years was when they were separated at John Vorster Square in Johannesburg, a little later that morning. She could not even bid the dead trade unionist farewell at his funeral because police refused to release her.

Instead she had friends buy dozens of pots of yellow daisies which, through her friends, she implored mourners to take home and plant — "and when they bloom cut the flowers and give them to friends and in that way the memory of Neil will live on."

The memory of Dr Neil Aggett will live on not only in touching gestures of her love but, sadly, because he was the first white to die in security police detention.

Sitting in the simple, cosy lounge of her home, the door wide open to passing strangers and friends in the close-knit community of Crown Mines, a former mining village in Johannesburg and now home to academics and intellectuals, she recounts their life.

Her life has been split into four groups of questioners — detention, psychologists, court and the Press. "You even start questioning yourself."

The stress that caused her to be hospitalised in the psychiatric ward of the Johannesburg Hospital for nearly two months after Dr Aggett's death is still present.

Outwardly she is quick to smile, friendly and talkative, with a sharp mind and wry wit. But when she was released her psychiatric report noted she had "post-traumatic stress syndrome."

"Every time the inquest is on it manifests itself, the symptoms get worse and my memory goes. I can't remember places or people's names. I can't sleep, I become tense, withdrawn."

After the first session of the inquest, Liz says she doubted if she could actively be involved in human rights issues again.

"But that day in the clinic (she works as a doctor at the Soweto clinics) we had a little girl of nine who was being repeatedly raped and abused...and there was nothing we could do.

"The next day I went to the Industrial Aid Society (where she works part-time) and there was a 16-year-old boy who had his arm cut off in an industrial accident in 1976. He received R312 compensation because his earnings at the time were R3 a month.

"Lives are being wrecked and there is nothing we can do if we [illegible]

[illegible] offices and Neil as an organiser fo the African Food and Canning Workers' Union and part-time at Baragwanath Hospital.

But it was these career decisions, which many people would find barely explicable, that led to Liz and Neil becoming objects for security police scrutiny.

Liz says she and Neil noted they were under intensive surveillance from April 1980, when, she says, Neil was being followed by five cars at a time.

"We always worried that they were overestimating things Neil was involved in. They didn't seem to know why he was involved in unions.

But the surveillance and occasional harassment of friends and visitors led to Neil and Liz choosing to stay at home, isolating themselves.

"With that, and the combination of both our jobs, it's amazing that our relationship survived as long as it did."

Now, she says working is the only thing she can do normally.

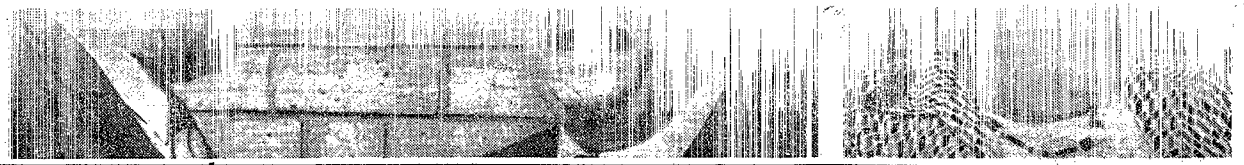
She came out of detention to find she had been evicted from the house she and Neil shared because the landlady's son-in-law was a policeman and did not want the embarrassment of detainees living in their house.

The union had been evicted from both its Johannesburg offices.

She sat through all 42 days of the inquest; "it was as if Neil was virtually on trial and I had [illegible]

...ie ...nques: ou...t up a composite picture of South Africa's security system and how, if testimony for the Aggett family is correct, it can systematically destroy people who, it believes, threaten it.

Threats, it emerged, which sometimes appeared to be more in the minds of the interrogator than in reality.



# SPECIAL REPORTS BY CHARLENE BELTRAMO

# A DIARY OF ALLEGED POLICE TORTURE AND ASSAULTS AND THE NIGHTMARE HIS PARENTS HAVE TO LIVE WITH

According to evidence, Lieutenant Steven Whitehead, the newly promoted and ambitious 25-year-old interrogator of Dr Aggett during his final days, ignored assertions by Dr Aggett that he was not a member of the African National Congress and/or the the SA Congress of Trade Unions and/or the Communist Party.

This was despite the fact that his superior, Major Arthur Cronwright, advised him to leave that line of questioning because ANC member Barbara Hogan had said he was not a member in a document she could not have known would be intercepted by the security police.

Mr George Bizos, for the Aggett family, called on the magistrate, Mr Petrus Kotze, to rule that Lieutenant Whitehead and Major Cronwright both be held responsible for the induced suicide of Dr Aggett and be charged with culpable homicide. Such a verdict, if given, would be historic. In not one of the 53 deaths in detention since 1963 has anyone ever been found responsible.

The inquest also revealed a serious lack of knowledge on the part of many security policemen of the basic safeguards protecting detainees and their few rights.

But ultimately the inquest left a choice of views of the type of man Dr Aggett was and of his detention.

Neil Hudson Aggett was born in Kenya in 1953, the son of conservative farming people.

Neil matriculated with a distinction in maths from Kingswood College, Grahamstown.

He studied at the University of Cape Town for a degree in medicine — by this time his parents were living in Somerset West — and in his third year met fellow medical student Liz Floyd.

The two lived in a small labourer's cottage in Cape Town. Neil graduated when he was 22 and did his housemanship at Umtata and later at Tembisa Hospital near Johannesburg.

In 1978, he moved to Johannesburg and began work as a fulltime casualty officer at Baragwanath Hospital. Shortly after this, Dr Floyd moved up to Johannesberg to join him.

A few of his close student friends had become involved in the fledgling progressive trade union movement in Cape Town in the meanwhile. He accommodated them on their trips to Johannesburg. His burgeoning interest in labour led him to begin part-time work the the Industrial Aid Society.

In August 1979, he finally gave up the material benefits he could have gained from a medical career and began working fulltime for the newly formed Transvaal branch of the African Food and Canning Workers' Union.

On November 27, 1981, Neil Aggett and Liz Floyd were woken by police at the home of a friend in Crown Mines, Johannesburg.

Both were taken to John Vorster Square.

After the initial 14 days both were then held in terms of Section 6 of the Terrorism Act.

December 11: Dr Aggett was transferred back to the second-floor detention cells that have perspex shields over the bars to prevent hangings.

During the early hours of February 5 this year, his body was found hanging, facing the wall, from his cell bars, a Kenyan Kukoi knotted around his neck and the grill.

**December 15:** Interrogation began under Captain Martin Naude, a security policeman from East London who specialises in trade union activity. A neatly dressed, good-looking man, Naude seemed to have been satisfied with Dr Aggett's statements.

**December 24:** Yvette Breytenbach, a close friend of Aggett, visits him. Counsel for the Minister of Law and Order later insinuated she had an affair with Aggett, an insinuation she strongly denies. She said Aggett looked fit, healthy and in good spirits. He told her not to cancel a holiday booking, with her and her boyfriend, for February.

He also said he intended studying surgery and continuing with medicine on his release.

**December 31:** Mrs Joy Aggett, the elderly mother of the trade unionist, and his friendly, dark-haired sister, Jill Berger, visit him.

After this Aggett appeared to think his father, with whom he had not communicated for some years because of their political differences, would be visiting him.

Interrogators say he cut his hair and beard with a razor and without a mirror, giving the dark-haired, good-looking detainee a dishevelled appearance.

Interrogation stopped after this, resumed again on January 4 and continued daily until January 8 on the 10th floor of John Vorster Square — from where Ahmed Timol fell to his death some years previously.

On the same day an inspector of detainees, Abraham Mouton, was denied access to Dr Aggett who, he was incorrect ly told, was out on "investigation".

Security police said Aggett began typing a statement that day, but according to Aggett he was also assaulted for the first time on that day.

In the statement compiled 14 hours before he died, Aggett said he was taken to a 10th floor interrogation room by a Sergeant Chauke. He said he was interrogated by Lieutenant Whitehead. "Everytime he asked me a question and I denied it, he accused me of calling him a liar.

"Schalk would hit me with his open hand through my face. I fell against the table with my back and could feel a scab on my back. He also assaulted me with his fists by hitting me on the side of my temple and my chest. He also kicked me on the side of my thigh. Schalk's watch cut my right forearm. Later he went to wash off the blood on him.

"While I was assaulted he grabbed me by the scrotum and squeezed my testicles."

Two days later, on January 6, a magistrate — a Mr Wessels — attempted to see Dr Aggett, but was turned away by Warrant Officer Walter MacPherson ... the same officer who turned away a magistrate on December 29 who wanted to see Aggett, and who also turned away the inspector of detainees.

By this time Lt Whitehead had taken over the interrogation of Dr Aggett from Captain Naude. Lt Whitehead had had Dr Aggett under surveillance for the preceding three years.

In summing up, Mr Bizos described Lt Whitehead as an "immature, ambitious, aggressive person. His interrogation indicated obsessiveness and a refusal to accept answers which didn't conform to his view of the facts.

"He was unlikely to have timidly and lamely accepted Aggett's denials.

"In the witness box he was uncomfortable. (During more than two days of cross-examination he refused to look at his cross-examiner. He stood with his back to the court.) He was evasive in some answers and did not have the stature and composure one would have expected of a lieutenant charged with such an important investigation and interrogation."

January 11: Dr Aggett was again taken to the 10th floor, this time to index his statement.

This first statement, documenting Aggett's entire life, ran to 75 pages.

Dr Aggett was left alone in his cell from January 11 to 20 except for a visit on January 18 by a magistrate. He complained to this magistrate of the January 4 assault.

**January 20:** Dr Aggett was taken to the 10th floor to clarify questions about his statement.

**January 25:** The letter from the magistrate to John Vorster Square about Dr Aggett's claims had taken "seven days to travel half a kilometre from the court" to land on Major Cronwright's desk. He notified Lt Whitehead of the complaint.

Interrogation of Dr Aggett began again. This is the day Maurice Smithers claimed to have witnessed the assault of Dr Aggett through a frosted glass partition separating him from the office Dr Aggett was in.

But before this, police said that on January 30 Aggett suddenly "and in contrast to his statements and notes" made certain disclosures to a Warrant Officer Deetlefs.

WO Deetlefs allegedly recorded the confession on four pages of notes — never provided to the court — and which, police said, "constituted a betrayal by Dr Aggett of certain of his comrades."

However, counsel for the family pointed out that there had been "no evidence that any detentions took place or that any criminal prosecutions or convictions followed Dr Aggett's alleged momentous disclosures." After Aggett's death, Smithers smuggled a note out via his sister who visited him to Mrs Helen Suzman, who confronted Minister Le Grange with it in Parliament.

Three days after Dr Aggett's large and emotional funeral Mrs Suzman read to Parliament what Maurice Smithers, a detainee at the time, claimed he saw.

"I saw him being interrogated ... He was standing all the time. Later he was still standing except he was naked. He was made to do push-ups, a substantial number. He was hit either with a belt or a rolled up newspaper while doing them."

Mr Smithers said in his letter that Dr Aggett had been forced to run on the spot with his arms in front of him while being hit all the time.

"He was sweating profusely and when once he nearly fell over a chair he was further harassed". Mr Smithers' evidence was corroborated by two other detainees, Gabriel Ngwenya and Auret van Heerden, but denied by the police.

Dr Aggett was then required to expand further on his first statement. He wrote another 28 pages from that day until January 28.

Counsel for the family claimed Dr Aggett would have asked to see a doctor during this time. Although he was allowed to get medicine for himself, he was not taken to a district surgeon. In all, five statements purportedly made by Dr Aggett were submitted to the court.

They were submitted at the end of September after legal wrangling. None of them implicated any of Dr Aggett's friends or colleagues, or even himself, in anything unlawful. Dr Aggett was interrogated daily from then on until his death.

**January 28:** Dr Aggett was taken to his cell at 1400 after six hours of interrogation.

If the family counsel's version of what then happened is correct, police worked out shifts until 6pm on the Sunday for a "long weekend" of interrogation.

Dr Aggett was again taken from his cell at 4pm and only returned at 3.30am on January 31. He never signed the meal book that all detainees sign on receipt of food during this time.

He was taken to the 10th floor and it appears shifts of nine security policemen, under the overall command of Lt Whitehead and authorised by Maj Cronwright, interrogated him.

Police deny Aggett's claim that he was kept awake for these 62 hours. They said he was allowed sleep during this time — although he never left the interrogation offices. They admitted to 50 hours of continuous interrogation.

During this time Dr Aggett was not allowed to shower, brush his teeth, change his clothing, shave or exercise.

Lt Whitehead said this was at Dr Aggett's request as he wanted to "open his heart" and get his detention over with.

However, other security police officers during their testimony said Aggett would not speak freely and they had to try and win him over.

Dr Aggett later complained in his statement of January 4 that during the night of January 28 Lt Whitehead had blindfolded him with a towel.

"They made me sit down and handcuffed me behind my back. I was (electrically) shocked through the handcuffs a few times."

During this time Dr Aggett completed 10 rough pages of notes which he later compiled into a neat 10-page statement.

Ex-detainees testified at the inquest that after this weekend Dr aggett, who had seemed in good spirits, and was fit and healthy, showed a marked physical deterioration.

According to them he appeared depressed, dejected, uncommunicative, listless and in a dazed and unhappy frame of mind, even failing to recognise or greet some of his friends.

**February 1:** Another attempt was made by a magistrate to see Dr Aggett and again he was fobbed off.

**February 1-4:** Dr Aggett started compiling his final statement — a compilation of his second, third, and fourth statements and containing 20 pages of his first statement.

He had written only 30 pages when he died. This one began with the hotly disputed words: "I am a Marxist and therefore an idealist," which the family's counsel claimed were a contradiction in terms and which he alleged were the work of Dr Aggett's interrogator, Lt Whitehead.

On the morning of February 4, Sergeant Aletta Blom came to take Dr Aggett's statement alleging torture. Mr Bizos was scathing in his criticism of Sergeant Blom, whom he said was not even able to take a statement in coherent English.

He claimed she showed no elementary competence or flair for investigation. "She must have cut a very poor picture to Dr Aggett, whatever his condition. He could not have believed he would get much protection."

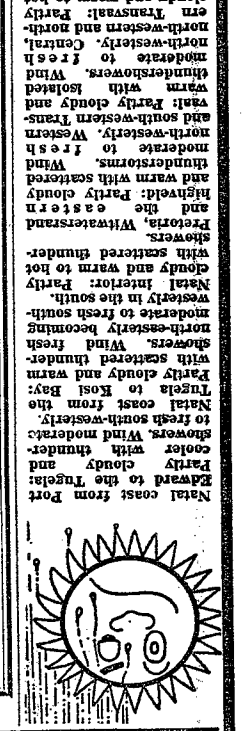
By this stage Dr Aggett was, according to fellow-detainee Auret van Heerden, in a "zombie like condition." He didn't touch his supper and the last time he was seen, at just after 11pm, he was lying on his mat reading a book. Three hours later he was dead. His family's counsel says he possibly could not face the thought of a potential second "long weekend" of interrogation.

The police counsel says Dr Aggett possibly could not face the thought of having "betrayed his friends".

The magistrate will deliver his finding on December 20.

Dr Aggett's parents say even the exposure of security police methods and detention will have created some good if protection for detainees is improved. For Mr and Mrs Aubrey Aggett, an average South African couple happy with the status quo, the last nine months have been a nightmare of revelations about a world they would rather have ignored.

For them, escape from one apparent nightmare has in the end brought even greater horror — the lonely, mysterious death of their youngest child.



SECTION B



329

# Aggett inquest: Which picture tells the truth?

**FOR more than six months the Aggett inquest has focused attention on the conditions of detention under South Africa's security laws and the methods of interrogation used by the Security Police.**

Before the magistrate adjourned the hearing this week, the two legal teams delivered their final arguments — and gave two strikingly different pictures of the life of detainees in John Vorster Square and the circumstances of Dr Aggett's death there.

**Now there will be a six-week wait before the magistrate gives the court his finding and tells which picture he accepted.**

In the Johannesburg Magistrate's Court, this week lawyers for the Aggett family held that Dr Aggett's detention and interrogation led to his death and the two policemen responsible for this were guilty of culpable homicide.

Mr George Bizos, SC, read this from a 180-page typed final argument he presented to the inquest.

He pin-pointed two policemen — Major Arthur Cronwright, the head of the interrogation team, and Lieutenant Steven Whitehead, the

Sunday Express Reporter

man who decided to intensify Dr Aggett's questioning shortly before his death — as being guilty of culpable homicide.

Lt Whitehead, who sat in the court, became the subject of a strong verbal attack.

He had shown he was prepared to flout the law, misuse his position and commit perjury, Mr Bizos told the court.

The police had not shown why Dr Aggett had suddenly decided to make vital disclosures, implicating himself and his friends, shortly before his death.

The only explanation, he argued, was that Dr Aggett was put under unlawful pressure until he 'broke'.

Even if the court accepted the police description of Dr Aggett's 62-hour interrogation — in which Dr Aggett claimed he was tortured — it had been admitted that the detainee had been subjected to exhausting questioning in stretches of up to 18 hours.

Security Police had absolute power over detainees and therefore they had direct responsibility for their well-being. They should also have been able to foresee the possibility of suicide and take precautions to prevent it, Mr Bizos argued.

Mr Pieter Schabort, SC, for the Minister of Police, said if the court accepted allegations that Dr Aggett was assaulted, this had not been shown to be linked with his death.

He said there was insufficient evidence to show that anyone was responsible for Dr Aggett's death.

**Mr Schabort hit hard at the evidence of detainees which he described as "fabricated, partisan and contradictory".**

Mr Auret van Heerden, for example, gave the court a description of an assault that Dr Aggett had described to him.

But most of the details he had given were not given by Dr Aggett himself when he had laid complaints of assault, Mr Schabort said.

In contrast, he described the evidence of a professor of psychiatry, Professor Jan Plomp, as key, objective evidence.

He accepted Prof Plomp's argument that a Telex message which Dr Aggett learnt about was enough to have driven him to suicide.

Dr Aggett would have been feeling guilty and anxious about the fact that he had allegedly "opened up his heart" and implicated friends of his.

Then, only hours before his death, he overheard the contents of the telex message, which asked for their arrest.

He could also have been aware of the likely repercussions of his suicide and would have known there would be a public outcry. It could have been a 'sacrificial suicide', with the intention of drawing attention to the detainees, Mr Schabort said.

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3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

**Any dishonesty will render the candidate liable to disciplinary action, possible exclusion from the University**

BRUCE LOUDON

at the Aggett inquest

# After the backslaps, a date for the diary

**IT ended in an atmosphere of bonhomie and backslapping.**

The magistrate, Mr P A J Kotze, complimented counsel for the Minister of Law and Order, the Aggett family, and the office of the Attorney-General, for the way in which they handled their briefs.

Counsel, in turn, thanked Mr Kotze and his assessor, Professor L S Smith, from Cape Town, for their patient hearing of the various submissions.

Then, on the 42nd day of hearing, and almost six months after it all began, the Aggett inquest was all over but for the verdict.

Mr Kotze consulted a small, red pocket diary and suggested December 20 as the day on which he will pronounce that verdict . . . adding — unusually in the case of an inquest — that because of the great deal of trouble all sides went to in presenting their cases, he would deal in detail with all the evidence presented to him; and that, because of this, pronouncement of that verdict could take two days.

Then he and Professor Smith were gone — to consider some 3 000 pages of court record, as well as mountains of other submissions.

The professor will help, of course, but in the end it is Mr Kotze, a small, white-bearded and ever-polite man, who will pronounce the finding of the inquest court.

As he withdrew, there were handshakes all round: Even George Bizos, the SC who represented the Aggett family and who has been the *bete noire* of the prosecution in so many so-called "political" trials, exchanged handshakes and greetings with some of the Security Branch men present in court.

Absent at the end, however, were the two men whom Mr Bizos, in his final address, accused of having been directly responsible for Dr Aggett's death — Major Arthur Benoni Cronwright and Lieutenant Stephan Peter Whitehead. Both, he demanded, should be charged with culpable homicide.

Mr Bizos's address lasted (during court hours) from after lunch on Tuesday until lunchtime on Wednesday.

Mr Pieter Schabort, for the Minister of Law and Order, replied from Wednesday afternoon until mid-morning Thursday.

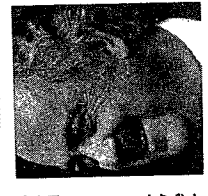
Both summarised their cases, sought to demolish the submissions of their adversary.

Lt Whitehead — "responsible"

Maj Cronwright — "responsible"

Having accepted that Dr Aggett committed suicide in his cell at John Vorster Square, Johannesburg, sometime during the night of February 4-5, Mr Bizos set out what he saw as the duty of inquest court — "an inqu to be so thoroughly cond ted that the public and interested parties are sa fied that there has been a

MR KOTZE



MR BIZOS

MR SCHABORT

and fair investigation into the circumstances of a death not due to natural causes".

Then he made his submission: "That members of the SAP who detained Dr Aggett in terms of the provisions of Section 6 of the Terrorism Act did not possess the right to impair his mental or physical health.

"That, on the contrary, they were obliged to maintain him in good health, both in body and in mind, and to ensure that at the end of his detention he would be released with his physical and mental health unimpaired.

## Offence

"The police were not entitled to subject him to any form of assault or make use of what is commonly described as third degree methods in interrogating or attempting to obtain a statement from him."

Mr Bizos contended that "the person who instigates, assists or puts another in a position to commit suicide, commits an offence depending on the facts of the particular case.

"The question to be determined is whether his (Dr Aggett's) death was brought about by one or other member of the SAP through their acts and/or omissions which involved or amounted to the commission of the offence of culpable homicide."

He then submitted that "the persons primarily responsible for the death of Dr Aggett are" Major Arthur Benoni Cronwright, who was in overall charge of the interrogation and investigation of Dr Aggett, and Lt Stephan Peter Whitehead, who was in direct control of Dr Aggett's interrogation.

## Contrary

"It is submitted that the circumstances of Dr Aggett's detention and interrogation, including physical ill-treatment, resulted in his decision to take his own life and that the security police, and in particular Maj Cronwright and Lt Whitehead, are therefore guilty of culpable homicide because of what they themselves did or what they

what they failed to prevent others from doing to Dr Aggett."

A completely contrary view was argued by Mr Schabort in his final submissions. There was, he contended, not enough evidence to find anyone responsible for Dr Aggett's death.

Even if allegations of assault were proved, there was no connection between them and Dr Aggett's suicide.

Thus one of the longest and most costly (in terms of legal fees) inquests in South African's legal history drew to a close nine months after Dr Aggett's death.

It is an inquest that has attracted more national and international interest than most, and that is why Mr Kotze's pronouncement on December 20 will be so keenly awaited by all sides in the

# Turfloop man held by police

Rapport Mail Reporter

POLICE have confirmed that a third person was detained four weeks ago in connection with the recent unrest at the University of the North (Turfloop).

Mr Macmillan Morokoe Letsoalo, 22, a former student who now works for the Lebowa Homeland Government, was detained on October 12 by Security Police.

The Police Directorate of Public Relations yesterday confirmed his detention under Section 29 of the new Internal Security Act.

CAPE TIMES 10/11/82 (124) (125) (329) (330)

# Tears as Fine is freed

Own Correspondent

JOHANNESBURG — A packed public gallery burst into applause, and some spectators shed tears yesterday after trade unionist Mr Allan Fine was acquitted in the Johannesburg Regional Court of charge under the Terrorism and Internal Security Acts.

Mr W Rosch acquitted Mr Fine, a 30-year-old official of a registered liquor and catering workers' union, after finding that the State had failed to prove he had intended to assist the banned African National Congress (ANC) by secretly sending information to an official of the exiled SA Congress of Trade Unions.

One of Mr Rosch's findings was that Mr Fine's participation in consumer boycotts did not mean he was working for the ANC and that he may have sent information to SACTU secretly because he feared banning or detention without trial.

The verdict ends more than a year's imprisonment for Mr Fine, who was detained last September under security legislation. Since then, he has either been detained without trial or held as an awaiting-trial prisoner.

Friends, relatives and trade union colleagues cheered and hugged each other after Mr Rosch completed his verdict and Mr Fine was led away from the dock by police before being released.

In his judgment, Mr Rosch noted it was common cause that Mr Fine had sent information on labour developments to a Botswana-based SACTU official, Mrs Jeanette Schoon, by means of "dead-letter boxes".

Although it was agreed that SACTU was not an illegal body, it was alleged that there was a conspiracy between SACTU and the ANC to overthrow the State by violent means and Mr Fine was therefore guilty of terrorism.

A second charge, under the Internal Security Act, alleged that by sending information to Mrs Schoon, Mr Fine had furthered the ANC's aims.

Mr Rosch found there was indeed a conspiracy between SACTU and the ANC to overthrow the State and added that SACTU engaged in both legal and illegal activities.

But there was no *prima facie* evidence before the court that Mr Fine's actions were in themselves "terroristic" and it had thus been up to the State to prove "beyond reasonable doubt" that Mr Fine was furthering the aims of the ANC.

Most of the information sent to SACTU had been publicly available.

There was no evidence that it had been sent with "ulterior motives" and, because of a lack of knowledge of SACTU activities inside the country, it was not known to what use the information had been put.

On the use of a code to communicate with Mrs Schoon, Mr Rosch found this was either because he was "under her discipline" or because he feared police action. It was the court's duty to accept the "more favourable possibility" and acquit Mr Fine, he said.

The court had been "hampered" in determining the use to which the information sent by Mr Fine had been put by a lack of information inside the country about SACTU activities.

Mr Rosch found there was no evidence that Mr Fine had taken part in consumer boycotts and other union activities at the request of SACTU.

Mr Fine had sometimes contradicted himself in his evidence and had also been "childishly naive" about SACTU's aims, but he had been "frank and honest" about his political beliefs and other aspects, Mr Rosch said.

He had been impressed by the evidence of State witnesses, including that of a security policeman, Major Craig Williamson.

RDM 10/11/82

# Detainee won't testify

Mail Reporter

THE Terrorism Act trial, from which the Press and public were barred for five days while a black policeman testified for the State, took a dramatic turn when a detained trade unionist refused to give evidence yesterday.

Miss Lillian Keagile, 24, of Molapo in Soweto, appeared before Mr I J J Luther in the Johannesburg Regional Court.

The State alleges she took part in the activities of the African National Congress, alternatively that she was engaged in the affairs of the organisation or contravened the Terrorism Act

She has pleaded not guilty to all the offences, alleged to have been committed last year

A black policeman, whose name and evidence for the State the magistrate ruled on Tuesday last week should not be published, finished testifying yesterday.

The drama started when the State called a detainee, Mr Phillip Dlamini, a former general secretary of the South African Black Municipal Worker's Union.

Mr Dlamini, wearing a blue overall, entered the witness box and told the court he would not take an oath because he was not prepared to give evidence for the State.

He said he wished to consult a legal adviser, but could not do so because he had been in detention for about five months.

The prosecutor, Mr A R van Wyk, confirmed that Mr Dlamini was in detention in connection with another matter which did not involve the present trial in which the State wanted him to testify.

He said he was not opposing Mr Dlamini's wish to consult a lawyer. He said arrangements would be made for Mr Dlamini to obtain legal advice

The magistrate ruled that Mr Dlamini was entitled to consult a legal representative.

He ordered Mr Dlamini to be present when the trial continues today

Miss Keagile was remanded in custody.

# Man called us 'animals' say accused policemen

Court Reporter

THE acting chairman of the Azanian People's Organisation, Mr Bradley Potgieter, told two Security policemen who detained him that they were going to assault him because 'you are animals', a Durban Magistrate heard yesterday.

This evidence was given by W/O Patrick Jacobs, 35, when he appeared with Det/Sgt Mohlin Gopal, 29, before Mr D M Young charged with assaulting Mr Pogieter.

Both men have pleaded not guilty.

At an earlier hearing Mr Potgieter told the Court that he had been detained by the two Security Branch policemen and assaulted on March 19 this year.

W/O Jacobs told the Court yesterday that he and Sgt Gopal were on observation duty near the Goodwill Lounge. They saw Mr Potgieter putting up a poster advertising a Sharpeville Commemoration Service.

They went to him and asked him if he had permission to put up the poster but Mr Potgieter did not answer them.

Sgt Gopal then searched Mr Potgieter's car and removed certain items including T-shirts, posters and paint.

Mr Potgieter was then taken to C R Swart Square.

Mr Potgieter said they were going to assault him because they 'were animals'.

The hearing continues today.

Non
15/11/82

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# Detainee said 'SP were animals'

**Mail Correspondent**

DURBAN. — The acting chairman of the Azanian People's Organization Mr Bradley Potgieter told two security policemen who detained him they would assault him because "you are animals", a Durban Magistrate heard yesterday.

This evidence was given by Warrant-Officer Patrick Jacobs, 35, when he appeared with Detective-Sergeant Mohlin Gopal, 29, before Mr D M Young, charged with assaulting Mr Pogieter.

Both men have pleaded not guilty.

At an earlier hearing Mr Pogieter told the court he had been detained by the two policemen and assaulted on March 19 this year.

WO Jacobs told the court yesterday he and Sgt Gopal had been on observation duties near the Goodwill Lounge.

They had seen Mr Potgieter putting up a poster advertising a Sharpeville Commemoration Service and had asked him if he had permission to put up the poster.

Sgt Gopal searched Mr Potgieter's car and removed certain items, including T-shirts, posters and paint, and Mr Potgieter was taken to C R Swart Square.

Mr Potgieter said he was going to be assaulted because the policemen were animals.

The hearing continues today.

# Detainee refuses to give evidence

Sowetan 10/11/82

**A DETAINEE and ex-trade union leader refused to give evidence against terror trialist, Miss Lilian Keagile, in the Johannesburg Regional Court yesterday.**

Former secretary of the South African Black Municipal Workers' Union, Mr Phillip Dlamini, refused to testify before Mr I J J Luther where Miss Keagile (24), of Orlando West, Soweto, is charged under the Terrorism Act.

She has pleaded not guilty to taking part in activities of the ANC and alternatively taking part in terror activities last year.

Mr Dlamini refused to take the oath and asked for an adjournment so that he could consult his lawyer, Mr Ratha Mokgoathleng.

After the adjournment he persisted in refusing to testify saying that a statement he had made to the police had not been made freely and voluntarily.

The prosecutor, Mr A R van Wyk submitted that in terms of the new Section 29 under which Mr Dlamini is being held, nobody other than the Minister of Police or the Commissioner of Police, had lawful access to a detainee.

Judgment on Mr Dlamini's accessibility was reserved until Monday. (Proceeding)

# Terror charges dropped

Cape Times 11/11/82

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**Own Correspondent**

JOHANNESBURG. — The State would withdraw Terrorism Act charges against two East London trade unionists, the president of the SA Allied Workers Union, Mr Thozamile Gqweta, and the vice-president of the union, Mr Sisa Njikelana, lawyers for the two men were told yesterday.

They were among a group of about 12 trade unionists detained in a police swoop last year. None of them has been convicted of an offence. One of the group, Dr Neil Aggett, died in police custody.

## 'Other activities'

Government spokesmen have said unionists who have been detained were not held for their union work but for "other activities".

Lawyers for Mr Gqweta and Mr Njikelana said yesterday the Attorney-General of the Cape had informed them charges against the two men were to be dropped.

The charges will be formally withdrawn at a court hearing in East London tomorrow, they said.

The two men have been detained six times by the South African or Ciskeian police. Neither has been convicted of a security law offence.

While he was in detention, Mr Gqweta was admitted to the psychiatric ward of a Johannesburg hospital.

After being held for five months, the two men appeared in a Johannesburg magistrate's court on terrorism charges. They were transferred to Grahamstown for trial.

In Grahamstown, they were transferred to East London for trial and have appeared in court there several times. No details of the charges against them were given.

## 'Unusual'

In an unusual move, the two men were granted bail of R750 each while awaiting trial under the Terrorism Act.

Saawu's general secretary, Mr Sam Kikine, had earlier been granted R500 bail while awaiting trial in Durban under the same act. Charges against Mr Kikine were also withdrawn.

EROOL 11/11/82

# Charges dropped against 2 union men

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THE Attorney-General's office in Grahamstown has confirmed that all charges are to be withdrawn against two East London trade unionists who have been in and out of detention seven times in three years.

A spokesman for the office confirmed that the charges under the Terrorism Act against Mr Thozamile Gqweta, president of the 25 000-strong South African Allied Workers Union, and Mr Sisa Nijikelana, vice-president, will be withdrawn when they appear before the magistrate in East London tomorrow.

Withdrawal of charges follows the recent acquittal of Mr Allen Fine in Johannesburg of charges under the Terrorism Act.

The State attempted to prove that because of his links with the South African Congress of Trade Unions he was part of a revolutionary alliance against South Africa.

The dropping of charges means that of the 16 trade union figures seized in a major police clampdown at the end of last year only one (Barbara Hogan) has been convicted.

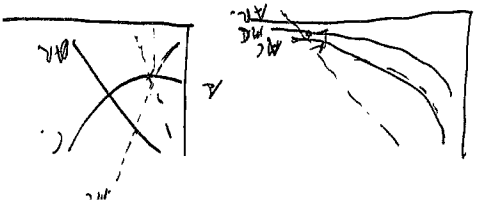
All the others have been released, acquitted or died (in the case of Dr Neil Aggett). Many spent more than 100 days in detention.

Mr Gqweta has been detained seven times in recent years, spent some time in a psychiatric hospital and has never been convicted of an offence under the country's security laws.

The trade union leader was arrested in May this year and appeared in the Johannesburg Magistrate's Court the next day charged with two other SAAWU officials.

The charge sheet linked the trial to that of Barbara Hogan, Cedric Mayson and Allen Fine.

In February this year the Minister of Law and Order, Mr Louis le Grange, defended the detention of the trade union figures and promised a major trial involving the detainees was pending.



Mercury 11/11/87

# Trial adjourned of SB men on assault charge

**Court Reporter**

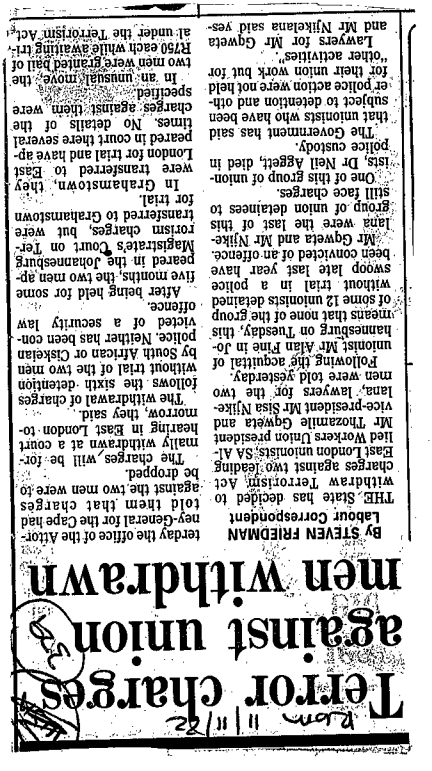
THE hearing at which two Security Branch policemen are appearing before Mr D M Young in the Durban Magistrate's Court charged with assault, was adjourned yesterday until December 14.

Before the Court are W/O Patrick Jacobs, 35, and Detective Sergeant Mohlin Gopal, 29, who are alleged to have assaulted the acting chairman of the Azanian Peoples' Organisation, Mr Bradley Potgieter, at C R Swart Square on March 19 this year.

They have both pleaded not guilty.

The Court has heard that Mr Potgieter was detained by the two policemen after they had seen him putting up a poster advertising a Sharpeville commemoration service.

Ceteris Paribus
Price
Function
Inferior Good
Substitutes
Complements
Perfect Competition
'Rise' in Demand (or Supply)
'Increase in Quantity Demanded' (or Supplied)
Equilibrium
Maximum Price
Minimum Price
Rent Control
Minimum Wages Legislation
International Trade
Transport Costs
Tariff
Economic Rent.



Terror charges against union men withdrawn

By STEVEN FRIEDMAN
Labour Correspondent

THE State has decided to withdraw Terrorism Act charges against two leading East London unionists.SA Allied Workers Union president Mr Thozamile Gqweta and vice-president Mr Sisa Njikelana, lawyers for the two men were told yesterday.

Following the acquittal of unionist Mr Allan Fine in Johannesburg on Tuesday, this means that none of the group of some 12 unionists detained without trial in a police swoop late last year have been convicted of an offence.

Mr Gqweta and Mr Njikelana were the last of this group of union detainees to still face charges.

One of this group of unionists, Dr Neil Aggett, died in police custody.

The Government has said that unionists who have been subject to detention and other police action were not held for their union work but for "other activities".

Lawyers for Mr Gqweta and Mr Njikelana said yesterday the office of the Attorney-General for the Cape had told them that charges against the two men were to be dropped.

The charges will be formally withdrawn at a court hearing in East London tomorrow, they said.

The withdrawal of charges follows the sixth detention without trial of the two men by South African or Ciskeian police. Neither has been convicted of a security law offence.

After being held for some five months, the two men appeared in the Johannesburg Magistrate's Court on Terrorism charges, but were transferred to Grahamstown for trial.

In Grahamstown, they were transferred to East London for trial and have appeared in court there several times. No details of the charges against them were specified.

In an unusual move, the two men were granted bail of R750 each while awaiting trial under the Terrorism Act.

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# End of Gqweta's charges

21/11/83

CHARGES against the national president and vice president of the South African Allied Workers' Union would be withdrawn today, a spokesman for the Attorney General's office in Grahamstown said yesterday. Sowetan

The spokesman said the charges against Mr Thozamile Gqweta, president, and Mr Sisa Njikelana, vice president, would be withdrawn when the men appeared in the Magistrate's Court.

Mr Gqweta and Mr Njikelana, who were detained on December 8 last year, have appeared in court eight times since May.

RDM 12/11/82

(329)

# 'Subversive' unionists — Minister slammed

By STEVEN FRIEDMAN
Labour Correspondent

THE Security Police and the Minister of Law and Order, Mr Louis le Grange, have failed to substantiate claims that trade unionists have been detained without trial because they were engaged in "subversive" activities, a trade unionist and a leading legal academic said yesterday.

Prof John Dugard of Wits University's Centre for Applied Legal Studies and Mr David Lewis of the General Workers' Union were commenting on the acquittal of unionist Mr Alan Fine and the withdrawal of charges against two East London unionists, Mr Thozamile Gqweta and Mr Sisa Njikelana, this week.

These decisions mean that all the unionists detained in police swoops late last year have either been released or acquitted.

The Mail's Cape Town correspondent reports that since Mr Le Grange told Parliament in February that unionists were never detained simply because of union activities, not a single detained unionist has been convicted of an offence.

Mr Le Grange said people were detained because they were involved in terrorist activities, sabotage, arson or disruption of the economy through the promotion of illegal strikes.

Over the past 18 months, at least 19 unionists have been detained. Four were released and then banned, one was tried and acquitted, three had charges against them dropped, and 10 were released without being charged.

One, Mr Phillip Dlamini, has been asked to give evidence for the State in a Terrorism Act trial.

Another, Dr Neil Aggett, the Transvaal branch secretary of the African Food and Canning Workers' Union — died in detention.

Commenting on this week's acquittal of Mr Fine and the dropping of charges against Mr Gqweta and Mr Njikelana, Mr Lewis said: "Not even with all the draconian legislation at the disposal of the Security Police have they been able to make charges stick.

"This establishes what we have always known — the reason why trade unionists are detained is because they have the support of the workers."

Mr Lewis was himself detained without trial in 1980.

Prof Dugard said the events "highlight the failure of the Security Police to substantiate any of the allegations of subversive conduct against unionists".

The fact that unionists had been held for "lengthy periods" and then released or acquitted "emphasises the extent to which the Security Police have used security laws to harass union leaders".

Prof Dugard added that the detentions had "undoubtedly undermined the development of industrial relations".

STAR 13/11/82

# Unionists: terror charges dropped

**Labour Reporter**

Terrorism Act charges against two leading members of the South African Allied Workers' Union were formally withdrawn yesterday.

However, another senior Saawu member, Mr Eric Mntonga, is still in the custody of Ciskei authorities after his arrest last month.

Mr Thozamile Gqweta, president of Saawu, and Mr Sisa Njikelana, vice-president, were both out on bail since their detention last December.

The charges, which were withdrawn in an East London court yesterday, had been condemned by overseas trade unions and organisations such as Amnesty International.

Mr Gqweta had briefly been out of custody between March and May this year before bail was eventually granted.

Most of Saawu's leadership has been in detention over the past year. The union's general secretary, Mr Sam Kikine, was also detained late last year and released on bail before charges were dropped after several court appearances.

Mr Gqweta's and Mr Njikelana's initial detentions had led them from appearances at the Johannesburg Magistrate's Court to Grahamstown and East London. Both operate from Saawu offices in the port city.

# Freedom for two unionists

Mail Correspondent

CAPE TOWN. — Nearly a year of detention and restriction ended yesterday for Mr Thozamile Gqweta, the president of the South African Allied Workers Union (Saawu), and Mr Sisa Njikelana, the vice-president of Saawu.

The charge of treason, alternatively charges under the Terrorism Act, against them was dropped.

For the two East London men it was the latest development in a two-and-a-half-year saga during which they spent more than a year in jail. Mr Njikelana, 26, has been detained five times in little more than two years.

Mr Gqweta, 30, has been detained six times in that period without being found guilty of an offence.

His first spell in detention began in April 1980 when he was arrested at a rugby match by Ciskei police after a strike in Mdantsane. He was held for a month before being charged with inciting a strike.

Seven months later the case was struck off the roll.

He was detained by the Security Police after a strike at Raylite Batteries in August 1980 and charged with inciting workers. After seven months the case was withdrawn.

At the end of 1980 he was detained for a month along with 14 other trade unionists by Ciskei police. He and Mr Njikelana went on a hunger strike for several weeks before being released without charge.

In June last year Mr Gqweta was detained by SA Security Police and held until August under Section Six of the Terrorism Act.

On December 8 he was detained again, along with Mr Njikelana and Saawu's East London branch chairman, Mr Eric Mntonga.

Released on March 3, he was arrested again by the Ciskei police on his first day of freedom, but was released on the same day.

He was detained again in May. He and Mr Njikelana — who was detained throughout this period — were made awaiting trial prisoners before being released on R750 bail each in September.

Rom 15/11/82 (329)

# A bloody nose for the 'no-smokers'

THE past week has been a shock to the labour world's "no smoke without fire" brigade.

As unionist detentions continued early this year, some employers suggested business should take a concerted stand against them.

After all, they argued, the people being detained without trial today were those they would have to talk to tomorrow.

The "no-smokers" were those who regaled anyone who would listen with tales of the "subversion" the detained unionists had been involved in.

All, they said, would come out at the trials and the anti-detention lobby would be embarrassed.

Some employers who raised detentions with the police were told much the same thing and dropped the matter on the basis of this "inside" information.

This week one detained unionist was acquitted and

Mr Thozamile Gqweta, president of the SA Allied Workers' Union, left, and Mr Sisa Njikelana, vice-president of the body, after their release from detention in December 1980. The men had been on hunger strike for several weeks.

CAPE TIMES 15/11/82

# Detention ends for Saawu men

By PHILLIP VAN NIEKERK
Labour Reporter

EARLY a year of detention and restriction ended on Friday for Mr ozamile Gqweta, president of the South African llied Workers Union aawu), and Mr Sisa jikelana, Saawu's vice-resident, when charges gainst them under the errorism Act were ropped.

For the two East London men it was the latest evelopment in a 2½-year aga during which they pent more than a year in ail without being convicted of an offence.

Mr Njikelana, 26, who worked at an electronics actory before being fired for union activities in 1980, has been detained five times in just over two years.

Mr Gqweta, 30, has been detained six times in that period without being found guilty of an offence.

A one-time star of the Mdantsane rugby team Winter Rose, he is regarded as a popular and charismatic figure.

Before becoming a trade unionist, he worked as a furniture salesman. He grew up in Peelton, a small village of mud huts near King William's Town.

Mr Gqweta and Mr Njikelana have been outspoken critics of both the homelands system (Saawu has been effectively banned from operating in Ciskei and hundreds of union members have been detained there) and of the South African Government. Mr Njikelana was detained for four months last year after he spoke at an anti-Republic Day rally at Wits University.

Fellow trade unionists and academics believe Mr Gqweta's only "crime" — and the reason why he has spent so much time behind bars — is that he in the shadow of the black consciousness movement and Steve Biko, who died in detention in 1977. Biko's headquarters were down the road in King William's Town and he played a major role in politicizing the youth of the area.

Mr Gqweta's first spell in detention began in April 1980 when he was arrested at a rugby match by Ciskei police after a strike in Mdantsane. He was held for a month before being charged with incitement to strike.

Seven months later — after numerous court appearances in which he was not asked to plead — the case was struck off the court roll.

He was detained by security police after a strike at Rayllite Batteries in August 1980 and charged with intimidation of workers. Again, after seven months and numerous court appearances, the case was withdrawn.

At the end of 1980 he was detained for a month along with 14 other trade unionists after a swoop by Ciskei police. He and Mr Njikelana went on a hunger strike for several weeks before being released without charge.

In June last year, Mr Gqweta was detained by South African security police and held for three months under Section Six of the Terrorism Act.

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leader, the voice of voteless and exploited people.

## 'An example'

He is thus seen as an example of what happens to a black leader who articulates the grievances of his people and works through peaceful means to improve their rights.

Ironically, he and the youthful leadership of Saawu, though believers in non-racialism, grew up

## 11 months

In the space of three weeks in November last year, his mother and uncle were burnt to death in a fire that destroyed their shack in Peelton, a lover of his, Deliswa Roxiso, was shot dead by Ciskei police and a friend, civil rights lawyer Griffiths Mxenge, was murdered.

On December 8, Mr Gqweta and Mr Njikelana were detained at their union offices along with Saawu's East London branch chairman, Mr Eric Mntonga. Mr Mntonga has spent 11 months in detention — three in Ciskei and eight in South Africa — without charge in the past two years.

Two months after being detained, Mr Gqweta was admitted to a psychiatric ward suffering from severe depression. His brother, Mr Robert Gqweta, who visited him in hospital, said he was "unrecognizable" and hardly capable of speech.

Released on March 3, he was arrested at dawn on his first day of freedom, this time by Ciskei police. He was released on the same day.

Detained again in May, he and Mr Njikelana became awaiting-trial prisoners before being released on R750 bail in September. All charges were withdrawn on Friday.

**NOTE CAREFU** **NG**

1. Enter at the top of each page and ir of the block on this cover the nur question you are answering.
2. Blue or black ink must be used answers. The use of a ball point pe able. Red or green ink may be u underlining, emphasis or for di which pencil may also be used.
3. Names must be printed on each se (e.g. graph paper) where sheets examination book(s) are used.
4. Do not write in the left hand margir

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Made in South Africa TRIO-RAND/S.P.C.T. PSL/UPD 100 000 1978 P Vervaardig in Suid-Afrika

# Union victory - final blow to Govt

**THE WITHDRAWAL of charges against two top South African Allied Workers' Union (Saawu) officials in East London last week was the final blow to a Government-sponsored campaign to crush the union, say SAAWU officials.**

President of the union, Mr Thozamile Gqweta and vice-president Mr Sisa Njikelana, whose trial has been postponed eight times since May — after they had both spent several months in detention — were last week told the Attorney-General of the Cape had decided to drop charges of high treason and terrorism.

Mr Gqweta has been detained seven times since 1980 and Mr Njikelana five times.

Mr Sam Kikine, the union's general-secretary, said the withdrawal of charges against his two colleagues was not unexpected following the acquittal in Johannesburg on Wednesday of another trade unionist, Mr Alan Fine, who faced Terrorism and Internal Security Act charges.

Mr Kikine had spent more than six months in detention and appeared in court nine times before charges under the Terrorism Act were withdrawn against him.

Mr Kikine said the State never had a case against the two SAAWU officials.

"SAAWU has never done, nor will we ever do, anything that is illegal. On the many occasions that I appeared in court there was never even a charge sheet," he said.

The indictment against Mr Gqweta and Mr Njikelana also failed to arrive in courts where they appeared.

Mr Kikine said their detentions were part of a Government plan to crush the union. "But they have failed," he said.

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**WARNING**

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
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**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

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# The ordeal of an innocent man

Star 15/11/82

## OUR VIEW

The Detainees' Parents Support Committee

It has taken 14 months to establish that gentle, kind, self-effacing Alan Fine is not a terrorist. Of course we — his family, friends and colleagues — knew this all along. Yet it has taken a lot of suffering, a lot of wasted time and has cost a lot of money to finally establish the fact of his innocence in a court of law.

This is one more "dagger thrust in water" seen for what it is, and one more nail in the coffin of Minister le Grange's claim of a countrywide conspiracy.

But what of the effect on Alan's mother and ailing father? What of the long months in solitary confinement?

Barbara Hogan was convinced like so many other young idealists that the wrongs and iniquities in our society should be righted. But she was a member of the ANC and that was found to make her otherwise legal actions treason! As Mrs Joyce Harris recently wrote: "What an indictment of the laws and conditions in our country."

It is a sobering thought, is it not, that had Alan been arrested under normal criminal legislation that could effectively have dealt with any trespassing such as he was suspected of having committed, he would have been brought to court within a few days of his arrest.

What about the other non-terrorists, the many detainees who suffered long months of detention, interrogation, solitary confinement, not to speak of other aspects of their ordeal, who were released without ever being charged of any crime?

And what about those detainees who are no longer with us but died in detention? Would they have died had they had access to a court of law shortly after their arrest?

Under security legislation which allows for detention there are no guarantees that the detainee will ever appear in court and there be given an opportunity to defend his freedom as well as his good name and reputation.

Can we therefore be expected to act otherwise than to continue calling for the withdrawal of all security legislation? There are no justifiable grounds for detaining people: at present mere suspicion suffices to do so.

There must be protection, there must be access, there must be justice. No security officer should have the right to detain at will, to interrogate without control and have complete dominion over any citizen. Legislation must protect all citizens and give them recourse to law.

Consider for instance the treatment meted out by the Security Police to Thozamile Gqweta and Sisa Njikelana:

Following the recent acquittal of Alan Fine by the magistrate, Mr W Rosch, on all counts brought against him, the State has now decided to drop its case against these two leading Unionists. They were detained not far short of a year ago and were to be charged under the Terrorism Act.

While in detention, Mr Gqweta had to be taken to hospital and has continued to need further medical attention. Recently they were both allowed bail. But in all these two men have now been detained six times each without ever any charges having been brought against them.

Surely this is a travesty of justice, in a country that prides itself on its Christian democratic principles. We repeat therefore: the Security Police must be divested of the powers given to them by the present security legislation.

# 'Probe treatment of detainees' call

**Pietermaritzburg Bureau**

THE PFP spokesman on Law and Order, Mr Harry Pitman, yesterday called for a commission of inquiry into the treatment of detainees following the findings by two Supreme Court judges of police malpractice in the investigation of the case against two men charged with terrorist activities.

Mr Pitman was commenting on the judgment of Mr Justice Howard with Mr Justice Thirion concurring, in which the convictions and sentences against Mr Mandla Sibisi and Mr Themba Mthembu were set aside.

The judges found that the evidence on which the two men had been convicted was tainted, suspect and unreliable in view of a mass of police malpractice in the investigation of the case.

'It is now time the minister stopped asserting that all the necessary precautions have been taken to make sure that people detained in terms of Section 6 of the Terrorism Act are well looked after.

'Judgment after judgment of the Supreme Court and the Appellate Division are now coming out holding that detainees who have been State witnesses have been pressurised and their evidence rejected,' Mr Pitman said.

He said it was now time the Minister of Law and Order applied his mind to setting up a commission of inquiry, presided over by a judge, to investigate fully the whole question of security police methods of dealing with detainees.

'Judges' findings about the treatment of detainees, and without in any way trying to anticipate the findigns of the inquest, the evidence about treatement of detainees admitted to by the police, indicate a most disturbing state of affairs,' he said.

Mr Pitman said the public was highly disturbed by the evidence of maltreatment of detainees and it was time the Minister of Law and Order did something to set their minds at rest.

## Threats

In setting aside the convictions and five-year sentences of Mr Sibisi and Mr Mthembu, the judges found that threats of assault, indefinite detention and lengthy interrogations had been used to induce statements from witnesses and that undue pressure had been applied to them by means of threats to pursue the text of their statements in the witness box.

The attorney representing the two, Mrs V N Mxenge, said she was not contemplating any action against the Department of Justice.

'On the face of it we do not seem to have a case as we would have to prove that the magistrate who convicted my clients acted with malice, but once we have studied the judgment and the reasons for judgment, we will look into the question of malpractice by the police and see what can be done,' she said.

Asked about the delay of two years before the case came on appeal, Mrs Mxenge said it had been very long for a Magistrate's Court case, and the record of evidence ran to thousands of pages.

The typing and printing of the record took a very long time and then a day suitable to both the prosecution and the defence had to be arranged for the appeal.

# Dropping of charges is welcomed

AR&S 16/11/82

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**Labour Reporter**

THE dropping of charges under the Terrorism Act against East London trade unionists Mr Thozamile Gqwetha and Mr Sisa Njikelana has been welcomed by trade unionists in Cape Town.

In a statement, the Western Cape solidarity committee of trade unions said members of the South African Allied Workers' Union (Saawu) had "clearly indicated" their confidence in national president Mr Gqwetha and vice-president Mr Njikelana.

The unions on the solidarity committee include the Cape Town Municipal Workers' Association, the General Workers' Union, the Food and Canning Workers' Union and the Federation of South African Trade Unions.

## Will continue

"If the 'offence' of these two men has been to fight for the workers whom they truly represent, where does one place justice?

"The progressive trade union movement will continue to fight for workers' rights, notwithstanding the State's onslaught," said the unionists.

A spokesman from the Detainees' Parents Support Committee said the dropping of charges against the two men ended yet another period of State harassment.

"After a wave of detentions last year, with talk by the Minister of Law and Order of a 'countrywide conspiracy', not one trade unionist has been found guilty in court.

"It confirms what we have always known: That detention and security laws are a blatant form of harassment and intimidation aimed only at suppressing legitimate grievances," the spokesman said.

Mr Gqwetha and Mr Njikelana were detained on December 8 last year and charged six months later.

and released soon afterwards. He was re-detained in May and later released, with Mr Njikelana, on R750 bail.

Mr Gqwetha has been detained seven times since 1980 by both the South African and the Ciskei authorities. Mr Njikelana has been detained five times in the same period.

# Call to lift Naude ban

**Education Reporter**

THE Senate Academic Freedom Committee of the University of the Witwatersrand, in condemning the reimposition of the banning order last month on the Dutch Reformed clergyman, Dr Beyers Naude, expressed its "profound dismay" and called, in a statement issued at the weekend, for the immediate lifting of "this arbitrary banning order".

Dr Naude is an honorary graduate of Wits.

The statement pointed out that no reasons had been given for the banning.

# Banning to figure in talks with Pik

By JOHN BATTERSBY
Political Correspondent

CAPE TOWN. — United States concern at the renewal of the banning order on Dr Beyers Naude could be raised when Mr. Elliot Abrams, US Assistant Secretary of State for Human Rights, meets the Foreign Minister, Mr Pik Botha, in Pretoria this afternoon.

According to sources in Washington, evidence concerning the treatment and interrogation of detainees that has emerged at the inquest on trade unionist Dr Neil Aggett could also be raised by Mr Abrams.

The sources also do not rule out the possibility that the rebanning of Dr Naude could feature on the agenda of talks about SWA in Washington next week between Mr Botha and the US Secretary of State, Mr George Shultz.

Mr Abrams is visiting SA for the first time as part of the US team headed by Vice-President Bush which is on a seven-nation African shuttle.

Considerable importance is being attached in political and diplomatic circles to Mr Abrams' "fact-finding" mission and his presence is being interpreted as a demonstration of concern by the Reagan administration at human rights violations in South Africa.

While US diplomatic sources emphasise that Mr Abrams' visit is a low-key one directed primarily at gathering information on human rights issues, the fact that he will be meeting Mr Botha indicates that human rights issues are likely to feature on the agenda for the meeting between Mr Botha and US Secretary of State George Shultz in Washington next week.

The United States is sensitive about its unfavourable image in certain African states and what it sees as misunderstanding among some African leaders of its constructive engagement policy with South Africa.

# 5 months with SP

**Mail Reporter**

TWO banned journalists, Mr Joe Thloloe and Mr Mathata Tsedu, have begun their sixth month in Security Police detention.

Police confirmed yesterday that the two, originally held with three other journalists on June 24, are still being held under Section 29 of the new Internal Security Act.

They would give no further details.

The three others held with them have been released.

The two detainee were both served with three-year banning orders shortly after the strike at the Post and Sunday Post newspapers in 1980.

This is Mr Thloloe's third detention without trial. He was held in 1976 and for 20 months in 1978-9.

## Le Grange hits out at critics of detention

# 'Onslaught on SA is biggest'

RDM 18/11/82

By JOUBERT MALHERBE
Pretoria Bureau

**THE Minister of Law and Order, Mr Louis le Grange, said last night he doubted whether there was a bigger, better co-ordinated and orchestrated propaganda campaign against any country in the world than the one against South Africa.**

Speaking at a civic reception at Odendaalsrus, Mr Le Grange:

- Hit out at critics of detention "for purposes of interrogation", saying the system was necessary.
- Denied there was concerted Government action against trade unionists, because they were critical of the Government.
- Attacked the re-banned Dr Beyers Naude for refusing to appear before a board to review his banning. He said he had personally referred Dr Naude's case to the board.
- Said the 14 people currently still being detained for "interrogation and investigation" were "trained ANC terrrorists, terrorists-to-be and people who assisted terrorists".

In his criticism of Dr Naude, the Minister said it was the "Christian duty" of a citizen of a state to "respect" bodies created by that state.

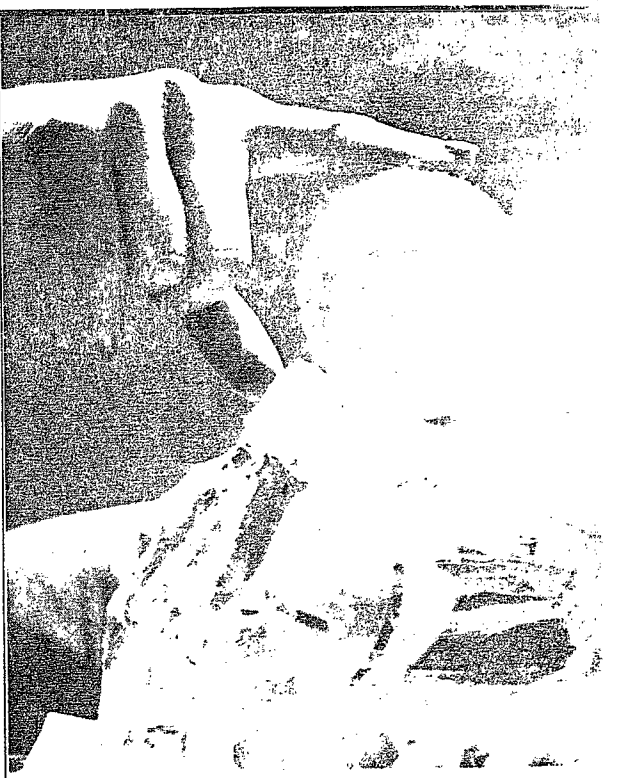
He said the re-banning of Dr Naude had "once again given people the opportunity to distort" the country's security legislation and its application.

Turning to trade unions, Mr Le Grange, said the recent acquittal of Johannesburg trade unionist, Mr Alan Fine, on charges under the security legislation, did not mean the detention of other unionists was not justified.

He said the Government "indeed" wanted to maintain a "stable and healthy" system of trade unionism in the country.

Mr Le Grange lashed out at certain overseas organisations, saying they were "affording courtesies" to the African National Congress. One of these groups regarded the ANC as a powerful factor in future political developments in SA.

He said the Council of Foreign Relations in the United States had recently



Debbie Ratcliffe of Johannesburg balances a tennis ball on the shimmering be presented, with a cheque for R5 000, to the leading individual player in the

## Fixed his own funeral

Mail Reporter

A FEW days before being shot in the head, a Johannesburg man arranged for his own funeral with a Knysna funeral parlour.

Mr Thomas Edwin Rasmussen, 61, a businessman of Cardiff Road, Parkwood, Johannesburg, died in the Knysna hospital on Monday night after having arranged for his cremation on Friday.

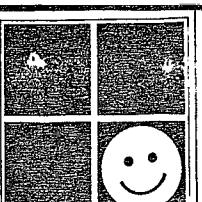
His son Stephan, a nature conservation officer at Goukamma, found his father, who had been staying with him, wounded in the bedroom on Monday night.

He had a bullet wound in the head and a .32 pistol was next to him. He was taken to hospital but died soon after being admitted.

A spokesman for a local undertakers said Mr Rasmussen senior had told the firm on Friday he had a rare disease which would not allow him to live much longer.

Mrs Rasmussen was in Johannesburg at the time of her husband's death.

Police do not suspect a crime.



HOMEFRONT!!

Please turn to Page 3

## Overdraft rate cut is forecast

## Family in ga car after appe

By EMIELIA JAROSCHEK
Crime Reporter

SHORTLY after a Johannesburg man found out that he had lost his appeal against a nine-year jail term for murder, he and his wife and their three children were found in a gas-filled car at Wemmer Pan.

Mr Clive Lewis and his wife, Coleen, are now in cus-

When the family were pulled from their red Mazda by fishermen at the dam south of Johannesburg Mrs Lewis, 34, and her youngest son Christopher, aged about two, were unconscious.

The two older children Clive, 6, and Lou-Anne, 4 and Mr Lewis, 35, were semi-conscious.

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Appointments . 24, 25
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**SHOW MAIL**

- JOHANNESBURG'S THEATRE AWARDS

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- GOLDEN BEAR LOOKS TO THE SUN

BACK PAGE


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He said the Government "indeed" wanted to maintain a "stable and healthy" system of trade unionism in the country.

Mr Le Grange lashed out at certain overseas organisations, saying they were "affording courtesies" to the African National Congress. One of these groups regarded the ANC as a powerful factor in future political developments in SA.

He said the Council of Foreign Relations in the United States had recently hosted a luncheon in honour of ANC president Mr Oliver Tambo.

The Minister also referred to a recent incident in Johannesburg where the traffic department had investigated the conduct of a traffic officer who had, at the request of a policeman, photographed a woman holding a banner in public.

"It certainly was not necessary for a city council to order an official investigation into the conduct of a traffic officer who photographed banners at the request of a policeman," he said.

Last night several people rejected Mr Le Grange's assertion that "detention for purposes of interrogation" was justified and that the Government was not "interested" in the political beliefs of trade unionists.

A senior representative of the General Workers' Union said from Cape Town that the State had taken action against unionists because unions represented the aspirations of most of the the workers.

It was clear that unions had the support of the workers, something the Government did not have, he said.

Former detainee, Mr Auret van Heerden, rejected Mr Le Grange's claim that "detention for the purposes of interrogation" was justified.

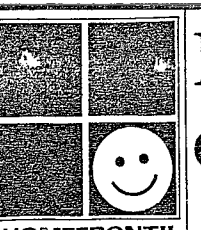
Mr Van Heerden — who testified at the inquest of trade unionist Dr Neil Aggett about alleged Security Police [illegible] detention was designed to give police unlimited powers which they could use to force detainees to incriminate themselves or [illegible].

He said Section 205 of the Criminal Procedure Act provided for people to be compelled to answer questions in front of a magistrate, and police misuse this measure to obtain information.

Dominee Klippies Kritzinger, a minister of the (Indian) Reformed Church in Africa, criticised the re-banning of Dr Naude and said he respected Dr Naude's refusal to appear before the board.

"Dr Naude should be charged in an open court because the mere banning of someone who espouses non-violent change cannot be just from a Christian point of view," he said.

Debbie Rabinie of Johannesburg [illegible] be presented, with a cheque for R5 000, to the leading indiv[illegible]



**HOMEFRONT!!**


Please turn to Page 3


## Overdraft rate cut is forecast

Financial Reporter

THE prime (minimum) overdraft rate may be cut within the next few days from 19% to 18%, according to money market indicators.

The rate was cut from 20% at the beginning of this month.

If the overdraft rate is cut it is far from a signal that the recession is bottoming out.

A lower prime rate at this stage would reflect an acceleration in the economic slowdown with an increasingly sluggish demand for borrowed money.

**Breakfast Quip**

"They're thinking of moving me to Sandy Bay . . ."

# Family ... car after ...

By EMIELIA JAROSCHEK
Crime Reporter

SHORTLY after a Johannesburg man found out that he had lost his appeal against a nine-year jail term for murder, he and his wife and their three children were found in a gas-filled car at Wemmer Pan.

Mr Clive Lewis and his wife, Coleen, are now in custody. The couple and their children were pulled from their gas-filled car on Tuesday and admitted to the South Rand Hospital.

Yesterday Mr and Mrs Lewis of Gordon Road, Bertrams, were released into the arms of waiting detectives while their children, now said to be in a satisfactory condition, remained in hospital.

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The ... Clive, 6, ... Mr Lewis, ... conscious.

Police ... packets ... and an ... dins in the ...

Earlier ... Mrs Lew... that the ... Bloemfo... Mr Lewis ... his convic... of nine ... murder of ...

## Elsa is voted face of 80s

By SUE CARROLL

IT WAS more than face value that won 15-year-old Elsa van Huyssteen from the Cape first place in the "Rooi Rose Face of the 80s" competition held at the Carlton Hotel's ballroom last night.

Elsa, a Std 7 pupil at Paarl Gymnasium, who had "only done a couple of modelling jobs" before she entered the competition has won a free modelling course with one of the agencies belonging to international modelling agent, Mr Johnny Casablancas.

She also received a return air ticket to London or New York as well as prizes to the value of R4 000.

Elsa intends finishing her schooling next year — yes, three standards in one — and then plans to take up her contract at the end of next year.

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# Ray keeps gloved h...

At R1 000 a catch Springbok wicketkeeper Ray Jennings has a cricket hall where he likes it best

DURBA... becoming ... world. ... In just ... sponsor... he has ... matches ... and in ... ng with ... hand. ... 47 000 in ... work. ... Jenn... he takes ... hand in ... wickets ... third ... In 80 ... R5 000 ... and a ... since ... Within ... more ...

Rdm 18/11/82

# Dutch church attack on SA

By MAURITZ MOOLMAN

THE moderature of the Hervormde Kerk in the Netherlands has sharply criticised the South African Government for renewing the banning order of the former director of the Christian Institute, Dr Beyers Naude.

The criticism was made in a letter to the South African ambassador in Holland.

And in another letter, addressed to Dr Naude, the moderature offered him its support.

"Some have hoped that the SA Government would have grabbed at the opportunity to get a somewhat more positive image but, alas, this hope proved to be futile.

"In our church there are many people who feel with you and this letter wants to be a small token in this regard. The moderature of the general synod of this church undoubtedly sees you as one of the spokesmen for many in our church as it has taken note with indignation that you have again been robbed of your freedom.

"The moderature protests strongly against this and expresses its respect for you as a person.

"For the past five years you have found yourself in isolation. With your wife you share the lot of many others who have been silenced for the sake of truth.

"At the next synod meeting we will again discuss our attitude towards apartheid in South Africa and then you and those who suffer for justice will not be forgotten," the church wrote.

In its letter to the South African Government the moderature expressed its indignation at the renewal of Dr Naude's banning and said many were suffering the consequences of apartheid which was condemned by many countries.

# STORM OF PROTEST

## Louis le Grange slammed for 'scandalous' attack on Naude

**A STORM of protest from opposition and church circles has greeted the attack by Mr Louis le Grange, Minister of Law and Order, on the re-banned Dr Beyers Naude.**

SAPA

Dr Alex Boraine, chairman of the federal executive of the Progressive Federal Party, said yesterday Mr le Grange's attack on Dr Naude for refusing to appeal against his renewed banning order through the Review Board was "scandalous and deplorable".

The Most Rev Philip Russell, Archbishop of Cape Town and head of the Anglican church, said the banning of Dr Naude was an unchristian act, and Mr le Grange should not now accuse the banned former NGK minister and director of the banned Christian Institute of acting outside his Christian beliefs.

The response followed a speech by Mr le Grange on Wednesday in which he implied it was Dr Naude's Christian duty to appear before the Review Board.

Dr Boraine said yesterday Mr le Grange was again trying to "defend the indefensible".

"Despite wide-spread international criticism and storms of protest from inside South Africa he persists in defending the abandonment of due process of the rule of law," Dr Boraine said.

"Seen against the background of deaths in detention, persistent rumours of torture and very few people being brought to court, Mr le Grange's statement is scandalous and deplorable.

"In particular, his attack on Beyers Naude is despicable because he knows full well Beyers cannot respond because of his banning order."

The archbishop of Cape Town and metropolitan (head) of the Anglican church of Southern Africa, Mr Philip Russell, said he had written to Mr le Grange, calling for the lifting of the ban on Dr Naude.

"I disagree profoundly with the Minister. Detention without trial and banning without trial is a denial of a fundamental right of people to know what they are accused of and who accuses them," he said.

Archbishop Russell said he fully supported Dr Naude's decision on Christian principle not to appeal to a "secret tribunal" on a banning order "which should not have been imposed on him in the first place".

# Editor told: No charges under old Police Act

ARGUS 19/11/82

Argus Correspondent

DURBAN. — Charges against the editor of The Daily News, Mr Michael Green, under the now-repealed section 27c of the amended 1958 Police Act are not to be prosecuted.

And charges against the editor of the Natal Mercury and against a Durban journalist have also been withdrawn.

The charges related to information about a detainee published earlier this year.

The three newspapermen were telephoned yesterday by a Major Fourie of the Security Police, who said he had been instructed to say that Natal's Attorney-General had declined to prosecute.

Major Fourie said he had also been told to draw their attention to sections 4 and 10 of Act No 84 of 1982, which replace Section 27c.

Mr Green said this seemed a clear warning that the Security Police intended using the new Protection of Information Act to suppress publication of news about their activities.

Section 4 of the new Act makes it an offence to publish information about "anything in a prohibited place, armaments, the defence of the Republic, a military matter, a security matter or the prevention or combating of terrorism".

"The implied warning by the Security Police seems to bear out the worst misgivings expressed about the Act when it was debated in Parliament earlier this year," said Mr Green.

"It is conceivable that the Act could be used to prohibit publication of even the names of detainees."

# Doctor took a look just 83 days later

**Mail Reporter**

A DETAINEE was examined by a doctor 83 days after she was allegedly assaulted by members of the Security Police during interrogation, a Johannesburg Regional Court magistrate heard yesterday.

This testimony was given in the Terrorism Act trial of Miss Lillian Keagile, 24, of Molapo, Soweto, who appeared before Mr I J J Luther.

The State alleges she took part in the activities of the ANC.

Giving evidence for the defence, the senior district surgeon for Johannesburg, Dr Norman Jacobson, told the court his duties included examining detainees.

He said he examined Miss Keagile on February 9 this year. She told him she had been assaulted by Security Police when she was arrested on November 18 last year.

She said she was suffering from pains in the chest and also under her breast.

She told him she had not been seen by a doctor since she was allegedly assaulted by being kicked all over her body.

She told him her head was covered with a wet sack which was later used to hit her on the body. She was also slapped on both ears, he said.

Dr Jacobson said he noticed no visible injuries on her.

Miss Keagile, who first appeared in court eight months after being detained, will spend a second Christmas day in custody and will appear again on January 10 next year.

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The ... day November 23 1982 15

GENERAL NEWS

# Petition launched to free Naude

329 SYSER 23/11/82

By Carolyn Dempster

A petition campaign has been launched for the lifting of the ban on Dr C F Beyers Naude.

Many of South Africa's top churchmen, academics, businessmen, politicians and literary figures have already signed the petition, launched at the weekend by Professor Albert Geyser of the University of the Witwatersrand's Biblical studies department, and Mrs Evelyn Cresswell, a close friend of the Naudes.

This week Mrs Cresswell hopes for the support of the public.

"They can draw up their own petitions, with names, addresses and signatures attached to the declaration: 'We the undersigned people of South Africa urge the Minister of Law and Order to lift the banning order on Dr C F Beyers Naude as it constitutes a severe inroad into justice in South Africa,'" she said.

Private petitions should be addressed to I Perlman, PO Box 97, Johannesburg 2000, said Mrs Cresswell. She intends presenting the list to the Minister at the end of January.

## CHURCHES

Among those who have signed the petition are top businessmen Mr Harry Oppenheimer, Mr Clive Menell, Dr Zac de Beer, Mr D Etheredge, Mr G Waddell, Mr Tony Bloom and writers Nadine Gordimer, Alan Paton, Andre Brink and Dr Bernard Freeman.

Prominent lawyers who have signed include Mr Charl Cilliers SC, Mr S Kentridge SC, Professor John Dugard, Mr George Bizos SC, Mr Jules Browde SC, Mr A Chaskalson SC and Professor J D van der Vyver.

Eleven churches are supporting the petition with Archbishop Denis Hurley, Dr Allan Boesak, Archbishop Phillip Russell and Chief Rabbi B M Casper among churchmen who have signed.

Professors Ben Marais and A van Selms, both of Pretoria University, have also signed the petition.

Politicians include Mrs Helen Suzman, Chief Gatsha Buthelezi and Dr Nthato Motlana.

"This petition must be regarded as a petition to the people of South Africa. It is a protest over the arbitrary powers the Government has used to silence Dr Naude," said Professor Geyser.

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1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

## WARNING

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
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# 'Paradox' highlighted by Aggett inquest

Star 23/11/82

**The New York Times looks at the relationship between the courts and police powers of detention in South Africa.**

Can South Africa's impartial courts coexist with a police State? asks the New York Times.

A prominently displayed report, from its Johannesburg correspondent, Joseph Lelyveld, said white South Africans, who are sensitive to the charge that their country is a police State for most of its inhabitants, habitually comfort and defend themselves by pointing to the tradition "of an independent judiciary that coexists in a seemingly permanent state of paradox with the system of arbitrary police powers."

That paradox, the Times said, was highlighted by the inquest on Dr Neil Aggett. It pointed out that in the last 10 weeks of his life, when he was held without charge under laws that give the security police powers of indefinite detention, Dr Aggett was completely beyond the reach of any court in the land.

But once he was dead, his police interrogators were subjected to relentless cross-examination in open court throughout the 42-day inquest.

The newspaper said the testimony from former political prisoners about their own treatment in detention — which was intended to show that police interrogators systematically humiliate, assault and torture their prisoners — "was less surprising than the decision of the magistrate to hear it."

This was because magistrates in South Africa are civil servants whose promotions and assignments depend on the Government.

The newspaper said a magistrate acquitted another trade unionist, Mr Alan Fine, who had been arrested at the same time as Dr Aggett.

The Government also lost another crucial case, when the Appeal Court found that the government had violated its own laws in trying to take back a fragment of kwaZulu it had planned to hand over to Swaziland.

"For a Government that wraps itself in authoritarian powers, such judicial setbacks amount to an almost inexplicable losing streak, raising the question of why it even bothers to go to court," said the paper.

The Times added: "The answer may have something to do with the Calvinist traditions of the dominant Afrikaners.

"The respect for legal forms is never more conspicuous here (in South Africa) than it is when legal rights are being abrogated: it is always done with a law.

"But however independent it is, a judicial system is unlikely to garner much praise for upholding human rights when it has to enforce laws like the Group Areas Act, or the Prohibition of Political Interference Act and the Urban Areas Act." — New York Bureau.

# Fewer detained and banned

The Thermometer of Justice has registered a drop in the number of those detained and banned over the past two months, but the course of justice has not run smoothly.

At the age of 67, the Rev Beyers Naude was issued with a new three-year banning order only two days before his five-year order was due to expire last month.

The outcast from Afrikanerdom, who turned his back on the rigid apartheid policies of his volk after 22 years as a member of the Broederbond and a respected leader within the NGK, has been confined to his Greenside home until November 1985.

International outrage greeted the new ban on Dr Naude who has won respect throughout the world for his stand, and is regarded in many countries as the Solzenhitsyn of South Africa.

Although eight people's banning orders have either expired or been lifted — bringing the number of banned down to 88 — the exiled editor Donald Woods along with the Reverend Theo Kotze and Brian Brown, also in exile, have had their restriction orders reimposed under the Internal Security Act.

This means they are effectively barred from returning to South Africa.

● The number of detained stands at 190 according to records compiled by the SA Institute of Race Relations.

In court, the treatment of detainees under security legislation has been closely monitored during the course of the inquest into the death of trade unionist Dr Neil Aggett.

Ex-detainees, giving evidence, have alleged security police assault, intimidation and a lack of protective safeguards under the present system. Shock torture was also given wide coverage — as a method allegedly used by the security police to extract information from detainees.

The inquest was adjourned until December 20 for the magistrate's finding.

On September 30 The Detainees Parents Support Committee presented a lengthy report to the Minister of Law and Order, Mr Louis le Grange, based on the numerous allegations of torture by ex-detainees.

In the report the DPSC specified instances of physical abuse, sleep deprivation, hooding, arduous physical exercise, intensive interrogation and electric shock treatment.

The Minister has, thus far, not replied to the allegations contained in the report.

On October 2, the Senior District Surgeon of Johannesburg laid a charge of assault against members of the Security Police after the death of 16-year-old Linda Dlodlo.

Miss Dlodlo, an asthmatic, died 16 days after being released from detention. She was held under Section 29 of the Internal Security Act.

● On October 13, security police arrested two members of the South African Allied Workers Union — who were later released without being charged.

At the same time, two University of the North (Turfloop) students were held — Miss Bennie Monama and Mr Kgosi Nhlapo. Fellow students boycotted lectures as a direct result of the detentions. They were eventually given an ultimatium by the university authorities, go to lectures or leave campus. The university was closed until November 1.

● The Medical Association of South Africa's ad hoc committee of inquiry into the medical care of prisoners and detainees started its inquiries in September.

Reports and recommendations to the committee came from individuals, bodies and organisations. In camera hearings for those who wish to place evidence before the committee will be held early in 1983 and the final Masa report will be made public later in the year.

The committee is to study prison facilities and prisoners' diets, the conditions and effects of solitary confinement, interrogation procedures and the consequent physical and mental health of detainees.

● Violence erupted in the Pietermaritzburg black township of Sobantu in September after the announcement of a rents increase from R13.27 to R17.17.

A protest led by children was stopped by police who dispersed the protesters with teargas. Sporadic rioting and shooting continued for the next two weeks, and on October 1 39 people were arrested and charged with contravening the Riotious Assemblies Act.

On October 9, police used teargas on mourners attending the funeral of a youth shot in the riots and arrested 39 people under the Internal Security Act — for contravening the restriction orders placed on the funeral.

A suspension of the payment of rents was followed by a beer and bread boycott. On October 6 a petrol bomb was thrown at police, after which 17 more people were arrested. The charges have not been formulated for 13 of the 17 who are to appear in court on December 1.

The 39 will appear in court on December 7 to face charges under the Internal Security Act.

# Detainee 'rewarded' with a glimpse of his kids

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Pretoria Bureau

AN ALLEGED member of the African National Congress detained under Section Six of the Terrorism Act was allowed to see his children from a window of a police building because the police had enjoyed his co-operation, the Pretoria Supreme Court heard yesterday.

Lieutenant-Colonel Robert McIntyre of the Eastern Transvaal Security Police said the children were on the ground and were not allowed to speak to their father.

Mr Rogerio Hoffsani Chamusso, 32, alias Patrick Shange, is appearing before Mr Justice A P Myburgh and assessors on charges of murder (two counts), contraventions of the Terrorism Act (three counts) and an alternative charge of sabotage.

Mr Chamusso is alleged to have shot dead Mr Lukas Abraham Mans, 47, and Mr Hendrik Rudolph Gerhardus Booysen, 32, in Ogies near Witbank on October 23 last year. On the same day, Mr Chamusso is alleged to have sabotaged an Escom electric transformer.

Mr Chamusso is alleged further to have received military training in Mozambique and Angola between 1979 and October 1981.

Colonel McIntyre said under cross-examination by Mr J N de Vos that Mr Chamusso showed his co-operation with the Security Police on October 28.

The colonel said Mr Chamusso was questioned about Maputo-based South African Communist Party member Joe Slovo and about ANC camps and places where the ANC hid weapons.

"The accused showed his co-operation by identifying members of the ANC in a photo album," Col McIntyre said.

Col McIntyre said although Mr Chamusso was held under Section Six of the Terrorism Act, the police brought his children to see him at his request.

He saw the children from the second floor of the Security Police offices.

"There was no specific reason why he was not allowed to speak to the children," Col McIntyre said.

Col McIntyre denied that he told Mr Chamusso that if he did not co-operate with the police he would hang like Solomon Mahlangu. He denied further that Mr Chamusso was to incriminate himself in regard to the rocket attack on Voortrekkerhoogte in August last year.

Mr F Hiemstra, SC, the Deputy Attorney-General of the Transvaal, and Mr S Joubert appeared for the State. Mr E Dane and Mr J N de Vos appeared for Mr Chamusso. The hearing continues today.

## Gory killer convicted

UMTATA. — A 21-year-old man was convicted yesterday of "a typical ritual killing" where a number of organs were removed from the body of a 70-year-old suspected witch, Shukumisa Mhlaba was convicted of murder in the Transkei Supreme Court.

He killed Mrs Nojongile Mtengwane in the Mqanduli district on September 12.

## Robbers escape with R18 000

Mail Reporters

FOUR men wielding knives and guns held up nine employees at a Johannesburg bank yesterday morning — forced them to lie on the ground and then made off with more than R18 000 in cash.

The robbery took place at the Standard Bank, Main Reef Road, Benrose, at 9.40am when the men approached teller Mr Andre Osmond, 45, and demanded money.

Four bank personnel were assaulted and a security guard, known as Jafta, was stabbed in the neck.

The Standard Bank's Public Relations Officer, Mr Jaap Swanepoel, said the men were extremely violent.

One of the bank's personnel said the men seemed very nervous and everything happened very fast.

The bank was closed for about two hours.

Major Fred Bull, Police Press Liaison Officer for the Witwatersrand, said the car in which the men escaped had been recovered by the police but no arrests had been made.

productivity of capital, ...

the use of ~~inefficient~~ low productivity capital restrains the possible better, higher level use of labour. Productivity is not necessarily linked to efficiency - that is, a high use level of capital in a particular production may be on the isoquant, but it may be (or it need not be) a particularly efficient situation. The community might rather demand or require an increased use in labour than in capital.

(329) Star 23/10/82

# Union officials freed

After nearly a year of incarceration under security laws, two leading trade unionists, Mr Thozamile Gqweta and Mr Sisa Njikelana, were released this month, and the charges against them were withdrawn.

Mr Gqweta has to date been detained six times — either by Ciskeian Security Police or South African police; Mr Njikelana five times.

They have never been convicted of an offence under security legislation, however, and have on each occasion been summarily released.

Mr Gqweta, president of the SA Allied Workers' Union, and Mr Njikelana, vice-president, were held by security police in East London in December last year. This was soon after Saawu general secretary Sam Kikine had been detained.

Held first under Section 22 of the General Laws Amendment Act, and then Section 6 of the old Terrorism Act, the three office-bearers, together with a Saawu member, Mr Eric Mntonga, spent six months in detention before any charges were laid.

In February, Sam Kikine and Thozamile Gqweta were transferred to the Johannesburg Hospital for psychiatric observation after long periods in isolation.

In May Mr Gqweta was released for a week and then redetained. On May 6, Mr Kikine, Mr Gqweta and Mr Njikelana all appeared in the Johannesburg Magistrate's court under "charges relating to the Terrorism Act."

In the five months that followed, and in the course of multiple court appearances, the charges were not once made known.

After four court appearances and postponements in Johannesburg, Sam Kikine's case was referred to Durban where it was dropped after two sessions in court.

Mr Gqweta and Mr Njikelana were transferred from Johannesburg to Grahamstown to East London on the terrorism charges which were never revealed. They were finally withdrawn and the men released on November 12.

Mr Mntonga was released on August 27 — only to be redetained by the Ciskei Security Police.

# Attorney on ban charge

An attorney, Mrs Priscilla Jana, appeared in the Johannesburg Magistrate's Court this week on a charge of breaking her banning order by visiting Durban while being restricted to the Johannesburg magisterial area.

Mrs Jana (39), of Woodpecker Road, Lenasia, appeared before Mr W Rosch. She was not asked to plead.

She is to appear again on March 14 next year.

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# Detainees: new police conduct code

By Peter Sullivan, Political Correspondent

The Minister of Police, Mr Louis le Grange, is to make known later today a new code of conduct for policemen dealing with detainees.

The move comes after a string of deaths in detention which culminated in worldwide publicity over Mr Steve Biko and Dr Neil Aggett.

The Minister addressed a Press conference today on the new code of conduct but details have been embargoed until 6 pm.

The reason given for the embargo is that it was requested by the Department of Foreign Affairs and Information because the code would have world-wide repercussions.

During this year's debate in Parliament on Mr Le Grange's vote, opposition MPs were assured the code would be drawn up.

The code comes in the wake of the report of the Rabie Commission on Security Legislation in South Africa, including detention without trial.

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If both ver they
will be found guilty of a murder offense
and each will receive a 2 year prison sentence.

The socially optimum position is where both don't confess. But because the individual thinks of himself only and does not possess perfect information both will confess and will end up in block ①.

Coming back to the question one sees that the provision of a health service free is justified if the individual by not providing for health service create a negative externality ie society as a whole suffers and must bear the cost. and also if it is the socially desirable thing to do.

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50.

# New code on detainees 'ineffective'

By Peter Sullivan and Carolyn Dempster

The new code of conduct for the treatment of detainees has reveived a lukewarm response from leading legal figures, opposition politicians and the parents of detainees.

The code has been labelled ineffective because it is not enshrined in law.

The Detainees' Parents Support Committee said "The proposals do nothing to change the totally enclosed system of police, magistrates, inspectors of detainees and district surgeons, who are all Government-appointed.

"The directions contain nothing which permits an independent monitoring of Security Police interrogation practice or behaviour.

"We see abuses and the risk of death in detention continuing unabated.

"We regard a code of conduct as premature until there has been a full investigation into the extensive allegations of torture."

Mrs Helen Suzman was sceptical of the promise by the Minister of Law and Order Mr Louis le Grange, that everything possible would be done to prevent deaths in detention.

Nothing could replace the protection afforded by due process of law. It was a pity it had taken more than 46 deaths before the code was introduced, she said.

"People should be charged or released. They should appear in a court of law within 48 hours of being detained and habeas corpus should apply.

"That is the best protection an individual has against the might of the State."

Although she welcomed certain measures in the code, it was subject to extreme criticism because it had no force in law, and relatives were not informed where detainees were being held.

The measure of objectivity was still limited to the police force instead of an outside investigating body.

Personal doctors were excluded from examining their patients and there appeared to be more concern for what the detainees might do to themselves than for the harm other people might cause them.

Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, said the code would have some value if the provisions were properly implemented — to ensure that detainees were not subjected to physical and psychological torture that had been alleged in the past.

As it stood the code was virtually ineffective because it operated within a closed system.

However the judiciary could give teeth to the code by refusing to admit confessions obtained from detainees under conditions which violated the code.

"Judges charged with the task of admitting confessions by detainees should, in my view, enforce these directions by refusing to admit any confession in violation of the directions.

"This would be the best means of enforcing compliance with the code."

Professor Dugard said it was unfortunate the code was not more specific and that directions were frequently qualified.

Although it was obvious the Minister had consulted the Bennett Report on Police Interrogation Procedures in Northern Ireland the code fell far short of the Bennett Report.

Article 15, which related to humane treatment of detainees, was so vague that he had no confidence that the police would give it the required context.

Mrs Joyce Harris, vice-president of the Black Sash, said: "I fear the code will be used to give credence to confessions obtained from detainees and presented as evidence in court.

"As it stands, one has no confidence in the police monitoring the police and the code does not change this system at all.

"We have seen in the past the department has not established its bona fides by protecting detainees.

"Why should things suddenly change now when there are no independent observers?"

● See Page 31

# New deal for detainees

CAPE Times 25/11/82

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**Political Staff**

POLICE have been given a new code regarding the handling and treatment of political detainees in what is understood to be partly aimed at preventing further deaths in detention similar to those of the trade union leader, Dr Neil Aggett, and the black consciousness leader, Mr Steve Biko.

The new code of conduct was announced yesterday by the Minister of Law and Order, Mr Louis le Grange, in Pretoria. It specifically outlaws torture and inhumane or degrading treatment of detainees held for interrogation under Section 29 of the Internal Security Act.

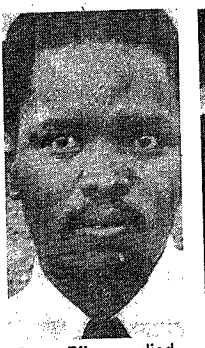
It also provides for criminal as well as departmental action against police who abuse the code and will give detainees access to far higher authority than in the past, if they have complaints or if they wish to appeal against their detention.

The code is a sequel to the Rabie Commission on security laws and has several similarities to the Bennett Report on the protection of detainees which was accepted in Britain.

The code contains an important departure from previous Security Branch practice in that, in future, detainees will have to be given reasons for their detention and they will also be able to appeal against the detention directly to the minister.

Divisional commissioners, where detainees are being held, will be directly responsible for their general welfare.

The code also provides for "surprise visits' to interrogation sessions by the divisional commissioner or the senior security branch officer in the area.



**Steve Biko** ... died in detention September 12, 1977.

**Neil Aggett** ... died in detention February 5, 1982.

Mr Le Grange said the directives he had issued stated specifically "that a detainee shall at all times be treated in a humane manner and that he shall not be assaulted in any manner or otherwise maltreated or subjected to any form of torture or inhumane or degrading treatment.

"Complaints of alleged assault on a detainee shall, in terms of the directive, be investigated by an officer of a branch of the force which was not involved in the alleged incident," he said.

A detainee would have to be informed as soon as possible of his right to appeal and be given every opportunity to do so.

The Commissioner of Police would also have to be informed of the detention as well as the inspector of detainees, the local magistrate and the local representative of the Department of Health.

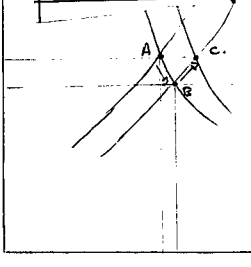
Relatives would also be informed unless "this is against the wishes of the detainee himself or if this will hinder any investigation of endanger the security of the State".

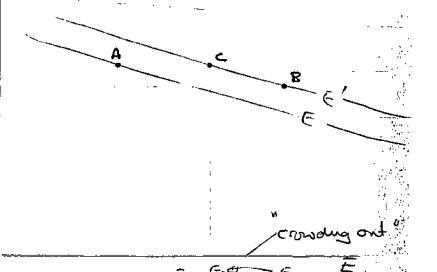
Among the directives on the treatment of detainees is that the senior duty officer where the detainee is held will have to make "regular visits to the detainee to see that he is alright.

"All reasonable steps shall be taken to prevent a detainee from injuring himself" says one clause and another states that cells should have "an exercise area, washing bath or shower facilities in the cell or in the exercise area and a flush toilet in the cell or exercise area".

Detainees would have to be given ample opportunity to sleep and they should be provided with sufficient food and water.

● **Suzman: Courts still the answer, page 12**



# Naude petition takes off next year

Mail Reporter

COUNTRYWIDE circulation of a petition for the unbanning of the former director of the Christian Institute, Dr Beyers Naude, has been delayed until next year.

Announcing this yesterday, Professor Albert Geyser, co-organiser of the petition with Mrs Evelyn Cresswell, said, however, that the petition may be signed at various venues in Johannesburg from this weekend.

Prof Geyser said it has been decided to circulate the petition countrywide during January next year because of the coming holidays. It could, however, be signed on Saturday at the Black Sash morning market, 13 African Street, Oaklands, and during weekdays in office hours at the offices of the Black Sash, 42 De Villiers Street, Braamfontein.

Petitions will also be available this Saturday at Art and Craft venues and at various churches on Sunday.

# Code not worth much — expert

ARGUS 25/11/82 329

Staff Reporter

A PROMINENT academic in the law department at the University of Cape Town has expressed serious doubts about the new code of conduct regarding the handling and treatment of detainees held for interrogation under Section 29 of the Internal Security Act.

Mr Dennis Davis, a senior lecturer in the department, said today that all the improvements in the system of detention were only a modification of an "intrinsically iniquitous" law.

The Minister had specifically excluded from the code any form of judicial control over detainees and "given both Government and police records in this matter, the code is really not worth very much".

## Israeli law

Absolutely minimum safeguards for detainees would have to be similar to Israeli detention law, namely, that detainees had to be presented to the Supreme Court within 48 hours of their detention and the court had the power to limit the detention order.

Disciplinary procedures would still be mainly within the department.

"I can't honestly believe that it would be any advantage for a detainee to appeal to the Minister against his detention, once the Minister has ordered it. This is a flagrant violation of the principle that no man shall be a judge in his own cause," Mr Davis said.

The code would not be effective unless it had

"The only way in which the code could have some teeth would be that all evidence in court should be regarded as inadmissable if the code were transgressed."

The clause stipulating that detainees should be "humanely" treated was useless unless the code was carefully monitored by the courts and unless detainees had access to their attorneys.

"Detainees are still completely within the power of the police. There is no chance that they will be able to safeguard their rights in this situation."

## Fails

The Detainees Parents' Support Committee in the Western Cape said they welcomed any regulations which eased the lot of detainees.

"However, the new code of conduct fails to make any new steps in this direction."

Detainees were still denied access to their own doctors and officials who inspected them were seen as "extensions of their own interrogators".

"The committee remains convinced that the system of detention is incapable of any reform which can adequately safeguard the lives and health of detainees," the committee said.

Professor John Dugard, director of the Centre for Applied Legal Studies at Witwatesrand University, said the code would be welcome if the provisions were enforced.

"The code could be a powerful instrument in the hands of the judges," he said.

● See page 4.

# New Govt code to protect detainees

(329) Rdm 25/4/82

By DON MARSHALL
Pretoria Bureau Chief

**A CODE of conduct for the humane treatment of political detainees stipulating they should not be tortured or degraded in any way has been introduced by the Government.**

The new code, which was announced yesterday by the Minister of Police, Mr Louis le Grange, will be binding on all members of the South African Police.

Non-compliance with the directives relating to the treatment of political detainees will result in both criminal and disciplinary action being taken against those concerned.

The new directives come into effect immediately.

An important aspect of the new measures is that the Minister of Police becomes directly reponsible for the treatment of all detainees

Responsibility for guarding detainees is also shifted from the Security Police to the uniformed b[illegible] who is held longer than six months can make written or oral representations for his release to a board of [illegible]

Mr Le Grange said a Press conference in Pretoria yesterday that in completing the new directives, the authorities had drawn extensively from the recommendations of the Rabie

[illegible] ...ard of review.
Mr Le Grange said at a Press conference in Pretoria yesterday that in completing the new directives, the authorities had drawn extensively from the recommendations of the Rabie Commission, as well as from the standards adopted by the British (from the Bennett Report).

The Ministry of Police had also taken cognisance of representations made by the Parents Detainees' Support Committee, he said.

The directives, based on section 29 of the Internal Security Act of 1982, stipulate that a detainee must be informed as soon as possible after his arrest of the reason or reasons for his detention.

A detainee may also at amy time make representations in writing to the Minister concerning his detenion or release.

Provision is also made for a detainee to lodge complaints about his or her ill treatment and these will be fully investigated.

Referring to the Aggett and Biko deaths in detention, Mr Le Grange said: "Everything possible will be done to prevent a detainee from injuring himself or herself. I cannot give the assurance that such incidents will never again occur, but I can say that through these measures we are trying to prevent such incidents from happening."

A detainee who complains of illness, injury or an assault will be visited immediately by a district surgeon.

Mr Le Grange said the detainee would not be allowed a visit by his or her personal doctor because of the "risk factor" involved.

"We cannot allow a detainee's own doctor to visit him or her in detention because of the information that might be passed on. In saying this I am not trying to insult the medical profession. There would be a risk factor whether a detainee was visited by a doctor, a dominee or a legal person."

Another provision reads: "Detainees who show any inclination towards suicide, or who become exceptionally despondent or morbid, shall receive special attention from a district surgeon."

The new measures call for regular visits of the cells where detainees are being held by senior duty officers.

"A detainee will also be afforded ample opportunity to sleep and to do physical exercise."

It is also stipulated that:

- Any unnatural death of a detainee will, as a matter of urgency, be investigated by an officer of a branch of the force which was not involved in the detention or interrogation of the detainee;
- Two members of the force will "normally" be present during interrogation;

# Detainee treatment spelt out

ARGUS 25/11/82

329

**Argus Correspondent**

PRETORIA. — The Minister of Law and Order, Mr Louis le Grange, has issued a lengthy list of directions on the treatment of people detained under Section 29 of the Internal Security Act.

This is a summary of the rules he has laid down:

As soon as possible after the arrest of a detainee, a commissioned officer must give him the reason for his detention and also tell him that he may at any time make representations about his detention to the Minister in writing.

## Review

He must be told that if he is not released after six months, he may make written or oral representations to the newly established board of review.

If he does wish to make representations, "he shall be given full opportunity to do so" and his representations "shall be submitted forthwith" to the Minister or the board.

The commissioned officer must arrange, as soon as possible, for a district surgeon to examine the detainee. The fact of the detention must be conveyed as soon as possible to the Commissioner of Police, the Divisional Commissioner, the inspector of detainees, the magistrate of the district and the regional representative of the Department of Health.

The commissioned officer must also tell the detainee's available relatives about the detention — unless the detainee does not want it disclosed or it will hinder any investigation or endanger the security of the State.

## Well-being

The Divisional Commissioner of the area will be responsible for the detainee's "general well-being" and for ensuring that the directions are complied with.

The senior officer on duty must visit the detainee regularly. "Responsible members" shall be detailed to guard detainees.

All policemen concerned "shall be instructed in the treatment and safe custody" of detainees and "all reasonable steps shall be taken to prevent a detainee from injuring himself".

Where practical, detainees must have excercise areas, washing, bath or shower facilities and flush toilets. Cells must be searched regularly to ensure they contain nothing with which detainees can injure themselves.

A detainee must be given "ample opportunity" to sleep and do physical excercise. Sufficient food and water must be provided.

The Minister's directions say: "A detainee shall at all times be treated in a humane manner with proper regard to the rules of decency and shall not in any way be assaulted or otherwise ill-treated or subjected to any form of torture or inhuman or degrading treatment."

Any instance where force is used to stop the detainee escaping or injuring himself or attacking anyone must be reported at once to the Divisional Commissioner, who must ensure that there is an investigation by an officer of a different branch of the police.

Where a detainee complains to a policeman about another policeman, the Divisional Commissioner must similarly arrange an investigation.

## Firearms

Any unnatural death "shall, as a matter of urgency, be investigated by an officer of a branch of the force that was not involved in the detention or interrogation of the detainee concerned."

Two members of the force must normally be present during interrogation. They may not have firearms with them except for "compelling security reasons".

Whenever a woman detainee is interrogated, a female member of the force must be present "if available".

As far as their duties permit, the Divisional Commissioner and the local Security Police chief must make "periodic unannounced visits".

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# Two men die in detention in SWA

Cape Times 26/11/82

329

WINDHOEK. — Two men detained in Kavango in northern SWA/Namibia this month died in detention, the Commissioner of the SWA Police, Major-General Dolf Gouws, said yesterday.

One had "admitted" he was a Swapo guerilla.

Two Swapo raiders had also been shot in the area in the past two weeks.

The detentions followed the increased presence of Swapo insurgents in Kavango, which borders Angola in the north-eastern part of the territory.

### 'Nervous'

General Gouws said one of the men who died in detention was a school teacher at the Namutuntu primary school near Nkurenkuru, Mr Jona Hamukwaya, 32, who was arrested "in connection with information received" last Thursday.

"He was taken to a police station where he was nervous. During his interrogation, he acted strangely and was sleepy. He asked a warder for some water, lost consciousness and later died," General Gouws said.

The second man, Mr Kadumu Katanga, was arrested at Kakoro, east of Rundu, after security forces had seen him crossing the river from Angola.

General Gouws said Mr Katanga had been followed from the other side of the river by a security force patrol.

"After crossing into Kavango, he was arrested and admitted being a terrorist.

"He undertook to show us where he had hidden weapons in Kavango. He was taken to four kraals but no weapons were found.

"He later collapsed and he died while he was being taken to hospital at Rundu," the general said.

Both bodies had been taken to Pretoria for post-mortems and a full investigation into their deaths was being carried out.

General Gouws said a dusk-to-dawn curfew was still in effect in Kavango.

### 'Assisting'

Last week, the Democratic Turnhalle Alliance-controlled legislative assembly of Kavango asked to have armed men stationed in areas infested with insurgents.

They also asked to be able to detain members of the "internal" wing of Swapo whom they suspected of assisting infiltrators.

The only opposition member of the Kavango Legislative Assembly, Mr Cosmos Makanga, of the Namibia Christian Democratic Party, who was detained for questioning earlier this month, was released two weeks ago. — Sapa

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3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

**EVERY CANDIDATE MUST** enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank.

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1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
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Le Grange told Parliament:

"Detainees are being held in the best conditions possible. Where possible they are kept in private cells (another way of saying solitary confinement) and measures are being taken to ensure they do not harm themselves."

Steve Biko: fatal injuries

While Professor Tony Mathews, of the Department of Law at the University of Natal, and Professor John Dugard, of the Centre for Applied Legal Studies, believed the charter was "a small advance," many other academics, activists and practising lawyers could see none.

Prof Mathews said, however, he was disturbed the minister had made no provision for someone outside the police to monitor detentions. Prof Dugard said the charter left the way open for court interdicts against the police where it was feared or believed a person was being forced to undergo persistent interrogation, forced exercises, or being abused.

Previously such interdicts could only be brought in cases of physical assault. He acknowledged, however, that it would be difficult to prove the police were using "inhumane" interrogation techniques.

The "detainees' charter" is reminiscent of action Jimmy Kruger took when he issued, "Police Rules" after bitter criticism of his attitude to the death in detention of black consciousness leader Steven Biko in 1977.

His new rules included the appointment of two inspectors of detainees, drawn from the ranks of retired magistrates, who have the exhausting job of visiting detainees once every two to three weeks — and at times there are more than 300 people in detention at once.

Mr Kruger called for detainees to be questioned in ground floor rooms or in "strengthened" rooms. Nonetheless, after this on 12 July, 1978, a detainee, Lungile Talza, plunged to his death from the same Port Elizabeth security police headquarters — under control of the same commanding officer, Colonel P. Goosen, now a brigadier and assistant police commissioner — in which Steven Biko incurred his fatal injuries.

Another rule was that everything possible must be done to stop detainees committing suicide. This has been extended by Minister Le Grange into the phrase: "Detainees who show any inclination toward suicide or who become exceptionally despondent or morbid shall receive special attention." Since Mr Kruger made his statement, police say the following detainees have committed suicide:

- Sipho Malaza, November 16, 1977; hanging, Krugersdorp:
- Lungile Tabalaza, July 10, 1978; fell from Port Elizabeth security police headquarters:
- Tshifiwa Muofhe, November 14, 1981; died two days after being detained, from excessive bruising and haemorrhaging:
- Neil Aggett, February 5, 1982; hanging, John Vorster Square.
- Ernest Dipale, August, 1982; hanging, John Vorster Square.

Mr Le Grange's charter also "provides for the keeping of records regarding detainees, regular visits (by police officers) to detainees, measures to prevent injury to, or suicide by, detainees, and the admission of reports by inspectors of detainees, magistrates and district surgeons." None of the provisions are new and all have been subject to controversy.

- Visits: detainees should be visited by guards every hour. In Dr Aggett's case his cell was not visited for three hours, giving him ample time to commit suicide.
- Inspectors of detainees: they twice tried to visit Dr Aggett and each time were fobbed off. On each occasion Dr Aggett was allegedly being assaulted or submitted to excessive interrogation.
- Magistrates: it took seven days for a magistrate's report to travel half a kilometre to John Vorster Square after Dr Aggett's claims of mistreatment. A dispute arose in 1978 after Peter Jones, a friend of Biko's, was released from detention. A magistrate noted Jones had no complaints, but ignored the fact that Jones had been kept naked. Mr Kruger said Mr Jones was being kept naked because it was feared he would commit suicide.

"If one looks at the track record of the police and their promises, is it any wonder we are cynical about more reassurances?" an attorney and former detainee asked.

died in detention in 1977 and Mr Aubrey Aggett, father of Dr Neil Aggett who died in detention earlier this year, both dismissed the code as giving "too little, too late".

"What is the point of introducing this code now when we have lost so many people, who meant so much to us?" Mrs Biko said from her Ginsberg home this week.

"I don't even want to speculate on whether the new measures are going to be effective or not, or whether they will benefit detainees. We will just have to wait and see," she said.

"As for me, I am still very bitter at the death of my husband. I don't know if this code would have saved his life had it been introduced before."

Speaking emotionally, the father of Dr Aggett dismissed the code as "just playing around".

"They are just fooling around. For me it is a question of too little, too late. I have lost a son already," he said. "People who have charges to answer for, must be taken to court and must not be tried by security police or any other police for that matter. There is no substitute for taking people to court.

"Maybe detainees may benefit from this type of code and of course my son may have been saved if the code was introduced sooner. Still, the code is completely inadequate," he said.

The widow of another Eastern Cape man who died in detention, Mrs Nohle Mohapi, was also critical of the code. Mrs Mohapi's husband, Mapetla Mohapi, was an official of the South African Students Organisation (SASO). He died in August 1976 while being held in detention in East London.

"For as long as family members and family doctors are not allowed to see detainees then there can be no meaningful safeguards," Mrs Mohapi said.

She said she did not think the introduction of the code before her husband's death could have spared his life.

Professor John Dugard, director of the Centre for Applied Legal Studies at the University of the Witwatersrand, said: "I don't think it could have saved the life of Steve Biko because it appears there was some struggle between him and the police."

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# How Le Grange is pulling the wool over people's eyes...

Minister Le Grange

## *Nothing new in detainees' charter, say angry lawyers*

By Charlene Beltramo

THERE is "nothing new" in the "detainees' charter" announced by Law and Order Minister Louis le Grange in Pretoria this week.

And, angry lawyers and political analysts claim, if the existing laws and regulations have done nothing to prevent deaths in detention, assaults, torture or inhumane or degrading treatment, the charter, which is a compilation of existing legislation and regulations, will not act as a brake either.

Fuelling anger about the minister's attempt to "pull the wool over people's eyes", as one Detainees' Parents' Support Committee (DPSC) spokesperson said, was the news of the deaths in detention, hours after the minister's statement, of two detainees in Namibia. They were Jona Hamukwaya and Kadumu Katanga.

Mr Le Grange said this week the police had been told detainees must be treated in a "humane manner" at all times and could not be "assaulted in any manner or otherwise maltreated or subjected to any form of torture or inhuman or degrading treatment."

However, police have never been allowed to torture or assault detainees.

In November, last year, Mr Le Grange said detainees arrested in the swoop on trade unionists were being treated "in a humane manner". However, some detainees later alleged they were being assaulted or tortured at this stage.

A few hours before Neil Aggett was found hanging in his cell at John Vorster Square on Febrnary 5 this year, allegedly after having been assaulted and abused over a period of time, Mr Le Grange told Parliament:

"Detainees are being held in the best conditions possible. Where possible they are kept in private cells (another way of saying solitary confinement) and measures are being taken to ensure they do not harm themselves."

Steve Biko: fatal injuries.

While Professor Tony Mathews, of the Department of Law at the University of Natal, and Professor John Dugard, of the Centre for Applied Legal Studies, believed the charter was "a small advance," many other academics, activists and practising lawyers could see none.

Prof Mathews said, however, he was "[illegible]

## 'Too little too late'

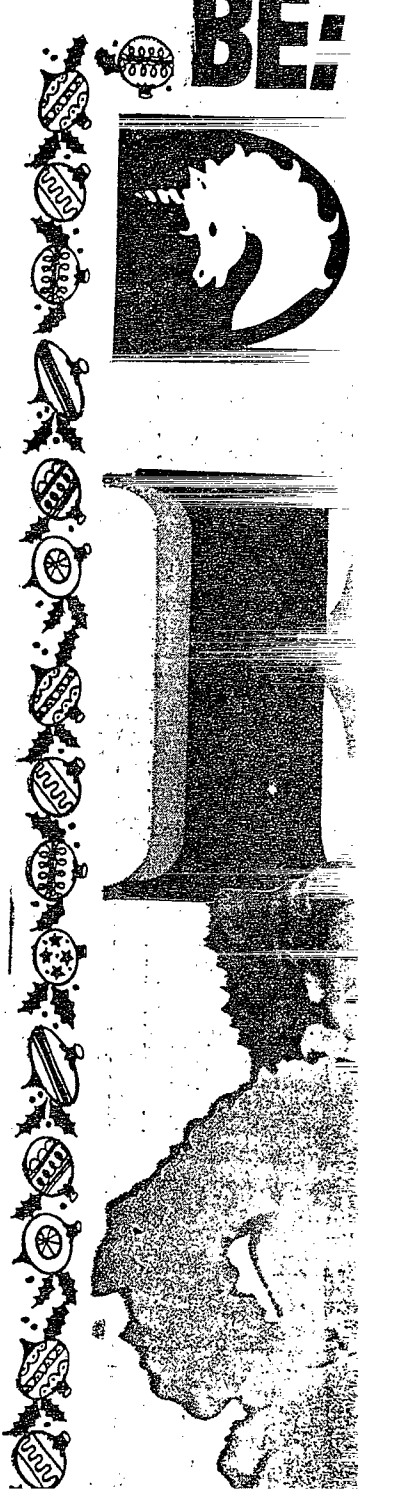
**Tribune Reporter**

THE new government code introduced this week to protect detainees has been described as too little, too late by families whose relatives have died in detention.

Mrs Ntsiki Biko, wife of Steve Biko the black consciousness leader who died in detention in 1977 and Mr Aubrey Aggett, father of Dr Neil Aggett who died in detention earlier this year, both dismissed the code as giving "too little, too late".

"What is the point of introducing this code now when we have lost so many people, who meant so much to us?" Mrs Biko said from her Ginsberg home this week.

"I don't even want to speculate on whether the



RBM 29/11/82 329

# Petitions on Naude banning

Mail Reporter

INITIAL response to a petition for the unbanning of the former director of the Christian Institute, Dr Beyers Naude, has been "wonderfully encouraging" and at least one petition, in the Northern Transvaal, had been started independently, petition organiser Mrs Evelyn Cresswell said yesterday.

Last month's extension of Dr Naude's five-year banning order for a further three years caused an outcry in South Africa and overseas.

Petitions are available to the public at a limited number of venues in Johannesburg.

Ninety-six leaders in business, the church and politics have already signed the petition.

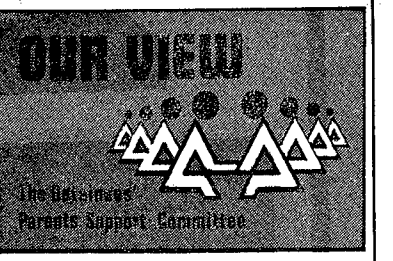
The organisers plan to go full tilt at a date still to be announced.

Mrs Cresswell said a petition was started in the Northern Transvaal after a call for people to draw up their own petitions.

"The Northern Transvaal petition is filling up fast," Mrs Cresswell said.

The petition for Dr Naude was started by Mrs Cresswell with Professor Albert Geyser of the University of the Witwatersrand after positive public reaction to a letter on the issue by Mrs Cresswell, published in the Rand Daily Mail.

# New code cosmetic and inefficient




More than two years ago, two young men — Mandla Sibisi and Themba Mthembu — were found guilty under the Terrorism Act. The state had alleged that they conspired illegally to leave South Africa with a view to undergoing military training. The presiding magistrate agreed with the prosecution's submission, and sentenced both accused to five years' imprisonment.

Little is known about the trial, as the bulk of the proceedings were held in camera. But it dragged on for more than a year, and the accused were held in custody on the attorney-general's orders for this period. They spent a period as detainees held by security police before they appeared in court.

Now, two years after sentence, both Sibisi and Mthembu have won appeals against their conviction, and were recently released from the Robben Island maximum security prison. After more than three years in custody, their innocence has been established. But the cost of this in wasted years spent in prison must be incalculable to these youths.

Even more disturbing is the reason for their eventual acquittal. Two judges of the Natal Supreme Court found that the trial magistrate had seriously erred in ignoring the fact that almost all witnesses called by the state claimed to have been assaulted while in security police detention. Yet again, the indication is that security police maltreat detainees while interrogating them.

During April 1982, the DPSC approached the Minister of Law and Order, claiming that systematic and widespread methods of torture were employed by security police during the interrogation of detainees. The Minister was asked at what level in the government this system of torture was sanctioned, but declined to reply.

Subsequently, the DPSC provided the Minister with more than 70 instances where ex-detainees alleged various forms of torture and intimidation at the hands of security police. Two months on, the Minister has still not responded to our submission which, in our view, establishes our original allegation that torture is widespread.

The Minister's recently introduced code of conduct for security police interrogators is not only cosmetic and inefficient: it is also premature until such time as a full public investigation into torture as a system of investigation has been undertaken.

The case of Sibisi and Mthembu is yet another example of the way in which security legislation has perverted the administration of justice in South Africa. Two youths had to spend more than three years in jail before finally establishing their innocence.

The case also adds to the already enormous fund of evidence which suggests that security police employ a system of torture and coercion in the interrogation of detainees. Yet again we ask the Minister, at what level is this system sanctioned?

The DPSC has noted a call for the public to support a petition calling for the unbanning of Dr C F Beyers Naude. While supporting the call, the DPSC believes that it should be widened to include a demand for the freeing of ALL banned and banished people, and for the repeal of the security legislation which enables the Minister arbitrarily to restrict opponents of the government.

Beyers Naude is one of many suffering under a banning order. Not only should all those restricted in this way be freed, but the system which allows such punishment by Ministerial decree must be ended.

# 'Questions' still on detention

CAPE Times 29/11/82 329

**Staff Reporter**

SERIOUS questions regarding the protection of detainees and the role of the judiciary remain despite the new guidelines announced by the Minister of Law and Order, Mr Louis le Grange, last week, according to Dr Willem de Klerk, the former editor-in-chief of the Transvaler.

In his weekly column in the Afrikaans Sunday newspaper Rapport, Dr De Klerk wrote yesterday that Mr Le Grange or officials of his department could help clear up the matter by answering three questions. These were:

● Why is there not a shorter period set aside for the purposes of interrogation of people held without trial?

● Why are detainees, held under Section 29 of the Internal Security Act, not granted the same review procedures and time period as other detainees?

● Why is the judiciary excluded from this process?

Dr De Klerk wrote that the "improved" measures of control announced by Mr Le Grange for people held under Section 29 were "very necessary".

"This section and its application has given us many problems. Ask MPs, ambassadors and journalists how fierce the overseas reaction is, because they see Section 29 as a violation of the principles of a just state."

The question was whether the improvement had met all possible fair criticism.

According to Dr De Klerk, the two major questions were why the police had to hold a person for six months under inquisition and absence of the involvement of the judiciary in Section 29.

He wrote that there was consensus among people of differing political views that the state was justified in using force in the security situation and that Section 29 was necessary and effective.

"There remain, however, serious differences over the question of whether there is adequate protection against the misuse of power and whether the judiciary should be excluded."

# Ciskei student held

**A FORMER Fort Hare student, Ms Patricia Malukas (25), is believed to have been detained by Ciskei Central Intelligence Services this week.**

Ms Maluka was one of the many students who were allegedly forced off the campus of the university by Ciskei police during disturbances at the end of August.

She served as an executive member on the interim committee before the rector, Prof J A Lambrecht, disbanded it.

At the time of her detention at a road block she was travelling from East London to Mdantsane, a colleague reported.

The security chief in the Ciskei, Lieutenant-General Charles Sebe, was not available for comment. — Sapa.

# Transkei pays R5 000 damages

329 ~~105~~

Mercury

29/11/82

**Mercury Correspondent**

JOHANNESBURG—The Transkei Government has paid a journalist more than R5 000 for damages suffered during his detention in 1980 in Transkei's maximum security prison.

Mr Sydney Moses, a former senior journalist with the Daily Dispatch, was detained in April 1980 and held in communicado for a month. The detention took place after he had questioned the Transkei Prime Minister, Chief George Matanzima, about reports that the Shah of Iran might seek refuge in Transkei.

Mr Moses was released without being charged. After his release he started legal action against the Transkei Minister of Justice for R75 000 for damages.

D. Dispatch

# Ciskei man detained

30/11/82

329

EAST LONDON — A Mdantsane man, Mr Xolisa Nzuzo, has been detained by Ciskei security police.

Mr Nzuzo, travelling in a car with students from Durban, was arrested by police manning a roadblock at the entrance to Mdantsane from East London.

The deputy commander of the Ciskei Central Intelligence Services, Brigadier M. H. Tamsanqa, confirmed yesterday that Mr Nzuzo was being held in terms of security legislation.

"Our investigations will be through by Thursday and he may then be released if we have nothing on him," he said. — DDR

# Detainee beatings alleged

From KOOS COETZEE

WESTERN KAVANGO. — Shocking allegations about the assault of two detainees, who died in the north of SWA/Namibia on November 18 within hours of being held by the police special task force, have been made by sources close to the two men.

Mr Jona Hamukwaya, a teacher at the Namuntuntu Primary School, and Mr Kaduma Katanga, of Kakoro village, both suffered prolonged beatings with sticks at the hands of the task force, better known by its nickname, "Koevoet" (crowbar), sources said.

Mr Hamukwaya was beaten on the banks of the Kavango River until his voice grew still while Mr Katanga was beaten unconscious at a friend's house, they said.

## 'Police matter'

A spokesman for the South African Defence Force yesterday declined to comment on the allegations, saying: "It is entirely a police matter."

The Commissioner of Police in SWA/Namibia, Major-General Dolf Gouws, said after reading the full text of this article: "You know more than I know."

He said the police were still waiting for the results of post-mortem examinations on the two men to see which direction their investigation should take. The results would not be made available to the press, he said.

General Gouws said he had nothing more to add.

According to an earlier statement, General Gouws said Mr Katanga had admitted to being a Swapo guerilla.

But according to reliable sources:

- He was an Angolan refugee who fled to SWA/Namibia in an effort to escape the war in Angola.
- He was very hard of hearing, making it virtually impossible for him to be a guerilla.
- He did not hear the first shots allegedly fired by Koevoet from the SWA/Namibia side when he and friends went to cut reeds and wood on the Angolan side of the Kavango River.
- He showed Koevoet his identity card while family in the Kakoro village told Koevoet he was living with them.
- He apparently told Koevoet that he had a gun, but the same word is used in the Kavango language for "gun" and for "bow and arrow".

## 'Dragged by feet'

Mr Katanga was beaten unconscious by Koevoet members at a friend's house and the beating continued after he lost consciousness. He was then dragged by his feet for several yards.

When he did not recover after water had been sprinkled over him, he was loaded onto a Koevoet armoured car which drove away, sources said.

On the morning before his death, Mr Katanga and two friends crossed the River in a boat to cut reeds and wood. When Koevoet members started firing on the trio from the SWA/Namibia side, they fled deeper into Angola.

Mr Katanga and one of his friends later crossed the river higher up, but they were greeted by Koevoet and assaulted by a white Koevoet member with a stick.

They were then interrogated at a nearby shop and one of Mr Katanga's friends — the other did not cross the river — was left at his house.

Mr Katanga was taken home where he showed Koevoet his identity card. Members of his family confirmed he was living there.

He was then told to show Koevoet where the third man, still in Angola, lived. Two men were chasing him, beating him with sticks, while they were followed by an armoured car.

The third man was not at home and the procession moved to where the other friend had been dropped. Mr Katanga was beaten unconscious in front of his friend and the friend's father, sources said.

## Signs of struggle

Mr Hamukwaya was taken away from the Namuntuntu primary school after a convoy of five Koevoet armoured cars had driven into the school yard early on the morning of November 18. All four teachers were interrogated but only Mr Hamukwaya was taken away to the river.

An inspection of the spot on the banks of the Kavango River where Mr Hamukwaya was allegedly assaulted showed clear signs of struggle.

Several young trees in the close vicinity had been recently cut, and a freshly-cut stick eight centimetres in diameter was found a few yards from where the struggle took place.

Armoured car tracks near the spot could still be seen at the weekend, despite the rain that fell in the Kavango last week.

Several women, including the deceased's wife and mother, were fetching water in the Kavango River on the morning of November 18 when they heard blows and the loud screams of Mr Hamukwaya.

## 'Screams softer'

After prolonged beatings the screams grew softer until his voice became quiet. A woman who ventured nearer was prevented by Koevoet members from seeing what was happening, sources said.

A white man was in charge of the convoy and one of the Koevoet members was identified as Mr Johannes Kamanja Kautondoka.

The next morning teachers were told by six men in a Koevoet car that Mr Hamukwaya was dead. One of the six was identified as Mr Jonah Ruben, a security policeman.

According to sources, Mr Hamukwaya and his wife were also assaulted by Koevoet members on the day before his death. He was hit with machine-gun butts and she was assaulted with a stick.

Koevoet members accused her of giving food to Swapo guerillas while one member incited others to beat Mr Hamukwaya, saying "all teachers are Swapos", sources said.

The chief of the Kwangali tribe in western Kavango, Stento "Daniel" Mpasi, said in an interview he was forbidden to speak to the press about the deaths of the two men.

He said, however, that he had complained on numerous occasions to senior officers about the treatment meted out to his people by the security forces, but when he raised issues they did not like he was accused of being pro-Swapo.

At two recent protest meetings about detentions and the deaths of the two men in Kavango at the weekend, the leader of the Namibia Christian Democratic Party, Mr Hans Rohr, lashed out at DTA propaganda branding all people who were anti-DTA as "Swapos and terrorists who can be killed".

## Detention

CISKEI Police have confirmed the detention of a Mdantsane man in terms of the Territory's security legislation. Brigadier M Tamsanqa, deputy commander of the Intelligence Services, said Mr Xolisa Nzuzo had been detained and might be released tomorrow when investigations would be completed.

Mr Nzuzo was arrested by police at a roadblock near Mdantsane.

# Former student released

D. Disbarred
2/12/82

ZWELITSHA — A former Fort Hare student, Miss Patricia Maluka, of Bloemfontein, was released from detention by the Ciskei Central Intelligence Services on Tuesday according to Brigadier H. Tamsanqa.

Miss Maluka was picked up by the Ciskei police in a roadblock at the entrance to Mdantsane on November 20. She left the university at the end of August.

At the time of her arrest she was returning from a parents-Fort Hare students' meeting in East London.

Picked up with her was an Mdantsane man, Mr Xolisa Ndzuzo.

This week Brigadier Tamsanqa said Mr Ndzuzo would be released today after police investigations. — DDR

Star 2/12/82

# Police detain Mandela's daughter in dawn raid

By Maud Motanyane

Miss Zinzi Mandela, the 22-year-old daughter of Mr Nelson Mandela, was detained by the police this morning after an hour-long raid on her home.

According to a lodger, who was present during the raid, the police arrived at 5.45 am. They confiscated copies of the "Free Mandela" campaign pamphlets as well as books before taking Miss Mandela away for questioning.

The lodger said the police had a warrant to search the house.

"They took an hour to search the house as well as the outside rooms," he said.

Miss Mandela's detention comes only two days after her mother, Mrs Winnie Mandela, left for Brandfort where she has been banished since 1977.

She had been granted permission by the security police to stay at her Orlando West home following an operation at the Rosebank Clinic.

Mrs Mandela, who had severe cellulitis on one of her knees, was given special permission to be admitted to the Johannesburg clinic where she had an operation.

A spokesman for security police headquarters in Pretoria said they could not confirm Miss Mandela's detention in terms of security legislation at this stage.

The police would make no further comment on the matter, the spokesman said.

Miss Mandela is due to appear in court on Monday on a charge of fraud.

She is alleged to have forged a travel document and was arrested in October at a Swaziland border post.

She appeared in the Johannesburg Magistrate's Court on October 19 and her case was postponed to December 6.

# Aggett inquest in the British TV eye

(329)
Star 2/12/82

The Star Bureau

LONDON — British TV will tonight screen a 30-minute re-enactment of the inquest on Dr Neil Aggett, who died in detention.

The dramatic TV Eye programme, using British-based South African actors in the roles of security policemen and detainees, reaches no conclusion on the responsibility for Dr Aggett's death. It is based on direct court evidence.

Presenter Peter Gill said the re-enactment of the case was designed to "highlight British interest in the findings of the inquest" due to be delivered on December 20.

It is a sequel to a controversial TV Eye documentary filmed earlier this year by Mr Gill and a cameraman who entered South Africa posing as tourists. They did several interviews with Dr Aggett's family and others involved.

The first programme drew protests from the South African Embassy in London on the way the TV crew entered the country "under false pretences."

# Unionist sues Minister

STAR 3/12/82

Labour Reporter

Lawyers for a trade unionist have issued a summons against the Minister of Law and Order, Mr Louis le Grange, for damages for alleged assault.

Mr Jabu Ngwenya, an official of the General and Allied Workers' Union, was detained under security legislation in November 1981 and released in September.

The civil action against the Minister for R15 000 was instituted by Mr Ngwenya's lawyers, Priscilla Jana Associates.

The action is in terms of Section 7 of the 1958 Police Act.

# Ciskei releases two

**A FORMER Fort Hare University student and a Mdantsane man have been released from detention, Brigadier H Tamsanqa, Ciskei's Deputy head of security, confirmed yesterday.**

Miss Patricia Maluka, of Bloemfontein, and Mr Xolisa Ndzuzo were detained at a roadblock near Mdantsane on November 20 on their return from a parents' — Fort Hare students' meeting in East London.

Miss Maluka left Fort Hare in August.

# Ciskei detainee freed

Dispatch 2/12/82

EAST LONDON — A Mdantsane man, Mr Xolisa Ndzuzo, has been released from detention by the Ciskei Central Intelligence Services.

Mr Ndzuzo was picked up by Ciskei police in a roadblock at the entrance to Mdantsane on November 20.

A former Fort Hare student arrested with him, Miss Patricia Maluka, of Bloemfontein, has also been released. — DDR

# Call for probe of SWA deaths

From KOOS COETZEE

WESTERN KAVANGO. — The SWA Ministers' Council has appealed to the South African Minister of Police, Mr Louis le Grange, to give his personal attention to the recent deaths in detention of two men held by the special police task force, named "Koevoet".

This was heard on Thursday by a grief-stricken congregation at Nkurenkuru in western Kavango at the funeral of Mr Jona Hamukwaya, a teacher at the Namuntuntu Primary School.

Mr Hamukwaya and Mr Kaduma Katanga died on November 18, hours after being detained by Koevoet.

## 'Voice stilled'

Sources who claimed earlier that Mr Hamukwaya was assaulted with sticks by Koevoet on the banks of the Kavango River until his voice grew still, have said they would say the same in court.

Mr Rudolph Ngondo, former member of the Ministers' Council and member of the executive committee in the Kavango Legislative Assembly, said at the funeral: "The two men were beaten to death with sticks like snakes."

Mr Ngondo said he had full information about the incident and had no doubt that the men had been murdered.

He asked the security forces: "Do you still have the courage to call yourself protectors of the Kwangali tribe?"

Mr Ngondo disputed statements by the SWA Commissioner of Police, Major-General Dolf Gouws.

The general had said that Mr Hamukwaya died in a police cell and that Mr Katanga had admitted to being a Swapo guerilla and showed police hiding places for arms and ammunition.

## Cemetery

Mr Ngondo, a millionaire, said he would build a cemetery next to the main road in the Kavango where Kwangalis "murdered" would be buried.

The statement by the Ministers' Council, read to 400 mourners at the funeral, appealed to the security forces and Koevoet, as the unit "responsible", to prevent more deaths in detention.

As the unit fell directly under the South African Police, the council appealed to the minister to give the matter his personal attention.

The chief of the Kwangali tribe, Captain Daniel Mpasi, said at the funeral that he expected to suffer the same fate as the two men.

## 'Given snake'

The Reverend H Ausiku said the people were asking for peace, but instead of a fish they were given a snake.

The Reverend N Sirongo, who led the funeral service, used as his text the fifth commandment: "Thou shalt not kill".

He said this commandment warned those in power not to kill the weak.

If a person neglected his humanity he became like a dog catching other dogs, Mr Sirongo said.

Meanwhile it has been learnt that a Kavango family of 20 people has settled 20km into Angola after Koevoet left a message at their kraal.

ENJOY THE

## NEW CODE OF PROTECTION FOR POLITICAL DETAINEES IS NO MAGNA CARTA

# LE GRANGE COPS OUT

329

MINISTER of Law and Order Louis le Grange's new code of conduct for the protection of detainees can scarcely be termed the Magna Carta of South African security laws.

For one thing, the Minister himself does not view it in those terms.

In announcing that he had ordered that no detainee should be treated in an inhuman or degrading fashion, Mr le Grange made one of those incredible statements for which South African ministers concerned with law and order are becoming famous. More Aggett or Biko cases, the Minister is reported to have said, could not be absolutely ruled out.

Leaving aside the Aggett case for *sub judice* reasons, one may yet marvel that a Minister who is not prepared to rule out a repetition of a tragedy of the horrific proportions of the Biko case, is not instantly run out of office. The fact that a Minister can survive such statements politically is as much a reflection on the responsiveness of the parliamentary system as it is on the new regime for Section 29 detainees (detainees who may be held indefinitely for interrogation.)

Whether one views the matter from the standpoint of religion, civilised moral values or just plain humanity, Mr Le Grange should guarantee [illegible] won't hap-

The adequacy of the policing may be tested in yet another way — by seeking to put ourselves in the position of a solitary confinement detainee and asking how reassured we should be by this elaborate process of self investigation. The answer is hardly at all.

The essence of the problem for the detainee is that he is in the arbitrary power of officials, and placing the obligation to protect him on officials, even if they are not always the same ones, is almost like curing the problem by more of the same disease.

If Mr le Grange had made provision for surprise visits by judges, instead of Divisional Commissioners, the detainees' cynicism about protection would immediately be tinged by elements of hope. And if the Minister took another important step in that direction and restored to the courts the right of access to the detainee and the power to protect him against abuse, the detainees' attitude towards safeguards might actually become positive, even though his plight as a detainee will remain a frightening one. It could be made less so by allowing regular visits by close relatives with suitable controls (surely not beyond the wits of officials in an over-controlled society) to prevent the passing of information.

These comments lead to the conclusion that the new code is but a small step in the direction of

pen · aga.n. ..e s.ou.d stake his job on it as an indication of the Government's intentions.

Mr le Grange's assurances are suspect for another reason. The assurance that inhuman and degrading treatment has been forbidden would carry greater conviction if he explained what he meant by these terms. There is a tendency in South Africa, from which the Minister has not overtly distanced himself, to restrict the meaning of inhuman and degrading treatment to *physical* abuse and maltreatment.

Even our courts have been slow to recognise that long periods of isolation in a solitary cell may be inhuman treatment.

The simple act of breaking a person's contact with society, subjecting him to what is known technically as "sensory deprivation" may inflict serious and lasting psychological harm.

If there is added to this the anxiety caused by the uncertainty of release and the non-physical pressures and techniques developed by interrogators, the case of categorising such treatment as inhuman *per se* becomes compelling. The code of conduct leaves one with the fear that extended isolation coupled with subtle modern techniques of interrogation fall outside the prohibition of inhuman and degrading treatment.

# **QUESTION:** Who polices the police?
# **ANSWER:** THE POLICE, of course!

Despite such serious reservations about the code, let us credit the Minister, for the sake of argument, with the very best of intentions. Let us treat the document as constituting a serious declaration of official intent.

A formal and detailed statement of good intentions towards political detainees is certainly an indication of progress.

Nevertheless, one crucial question needs to be asked and answered: How will good intentions be translated into improved practices?

We need to be assured that the control mechanisms and techniques will effectively achieve the goal of the decent and civilised treatment of detainees.

This question immediately takes us to the central weakness of the

**□Who polices the police? In this look at the new code for the treatment of political detainees in South Africa, security legislation specialist PROFESSOR TONY MATHEWS of Natal University concludes that the police still police the police.**

code — the way it will be policed.

The policing provisions of the code that are new are broadly these:

- The Divisional Commissioner of Police for the area where the detainee is held will be responsible for his general welfare
- Surprise visits to the detainee by the Commissioner or a senior Security Branch officer are authorised
- Complaints of assaults (not, let it be noted, non-physical maltreatment) will be investigated by an officer of a branch of the police force not involved in the "alleged incident"
- The senior officer on duty where the detainee is being held must make regular visits to him.

One may sum up these changes by saying they amount to a more elaborate system of policing *by the police themselves*.

Centuries ago the Romans expressed the dilemma raised by the control of officials in the maxim: Who shall guard the guardians? Mr le Grange's answer is that the guardians will guard themselves.

providing real safeguards against the abuse of detainees.

The single most important advance still to be made is to establish court control over the whole process.

The standard answer to this suggestion — that detention is an executive process and not a judicial one — does not even pass muster. One of the oldest and most cherished traditions of independent courts was their jurisdiction over officials to secure the protection of individuals against illegal harm. This has always been a judicial concern in free societies and it should remain one.

This awesome responsibility, it is true, will give the judges much discomfort in our kind of society: but we do not pay judges, surely, to be comfortable.

Moreover, the statement that detention is an executive process is not an argument but a pronouncement. There is no fixed or agreed line dividing executive from judicial acts; and in several societies lawyers see no difficulty in making aspects of detention justifiable. Israel is the most recent example.

What is lacking in South Africa is the *will* to create and assume responsibility for legally enforcable safeguards.

Given that will, there is no reason why they should not work.

# Former detainee still missing after 7 months

10 Dispatch 9/12/82

EAST LONDON — Mystery still surrounds the disappearance of a former Port Elizabeth detainee and student leader, Mr Siphiwe Mthimkulu. (329)

A security police spokesman said yesterday police had made no progress in establishing the whereabouts of Mr Mthimkulu, who suffered rare thallium poisoning after being released from detention last year.

Mr Mthimkulu, who is suing the Minister of Police after alleged poisoning during detention, disappeared with another man, Mr Topsy Madaka, on April 14.

Mr Madaka's car was found abandoned at Sterkspruit in Transkei, near the Telle Bridge border with Lesotho a few days later.

Mrs Molly Blackburn, PFP MP for Walmer, said yesterday Mr Mthimkulu's disappearance was "terribly worrying". His mother, Mrs Joyce Mthimkulu, has approached the PFP for assistance in finding him.

MR MTHIMKULU . . . when he was discharged from hospital.

"She is just coasting along. She seems to have accepted that he's not here anymore," said Mrs Blackburn.

The police have turned down a request by the Mthimkulu family to have details of his disappearance screened in the television programme, Police File.

The programme, they said, was exclusively for "unsolved cases" investigated by the police.

The MP for Walmer, Mr Andrew Savage, has asked police to co-ordinate with Transkei police in their efforts to find Mr Mthimkulu. The security police spokesman, however, would not confirm whether this was happening.

No comment could be obtained from Transkei police yesterday.

Mr Mthimkulu, a member of the Congress of South African Students, was detained for five months last year. Shortly after his release in October he became ill.

He was admitted to Groote Schuur Hospital in Cape Town where thallium poisoning was diagnosed. — DDR

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**NOTE CAREFULLY**

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
4. Do not write in the left hand margin.

**WARNING**

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator.
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

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## Letter to PW urges inquiry

# Amnesty calls for detainee deaths probe

329

ROM 18/12/82

By KOOS COETZEE
Mail Africa Bureau

WINDHOEK. — The Swedish and Danish branches and several individual members of Amnesty International have written letters to the Prime Minister, Mr P W Botha, asking for an immediate and independent inquiry into the deaths in detention in South West Africa and the alleged maltreatment of detainees.

This follows a strong call for a judicial inquiry into detention without trial in SWA by the SWA Bar Council, and a statement by the International Commmttee of the Red Cross that it would continue its efforts to get access to all categories of security prisoners held in the territory.

Two detainees held by the Special Task Force of the police, Koevoet, died in detention on November 18 within hours of being held. They were Mr Jona Hamukwaya and Mr Kaduma Katanga.

The letters to Mr Botha were also addressed to Major-General Charles Lloyd, Officer Commanding the SWA Territory Force, Mr Dirk Mudge, chairman of the Ministers' Council, Brigadier Johan van der Merwe, head of the Security Police in SWA, and the chairman of the executive committee of the Kavango government, Mr S Kamwanga.

At least 25 people were recently detained in Kavango.

The letters also asked the Prime Minister to reveal the names of all detainees and places of detention in Kavango. He was also asked to allow detainees access to relatives and legal counsel and to secure that all detainees be either charged and promptly brought to trial, or released.

A spokesman for the International Red Cross said yesterday the organisation was in the process of negotiating with the SA Government to see all security detainees in SWA.

The SWA Bar Council this week asked for a judicial commission of inquiry into detention without trial in SWA.

It said although security legislation in SWA was said to be aimed at ensuring the security of the state and the citizens, it was open to abuse and could undermine the very safety and security of the citizens if safeguards were not provided.

"We are shocked at instances of abuse and some recent cases of rape and death in detention," the council said.

# 8 HELD WITH TERRE'BLANCHE

# Guns, ammunition and explosives seized as police swoop on Right

~~346~~ 329 S. Express 12/12/82

**By DEBRA CLEVELAND, ARLENE GETZ and LIZ VAN DEN NIEUWENHOF**

**NINE whites — including Mr Eugene Terre'Blanche, the fiery leader of the extreme Right-wing Afrikaner Weerstandsbeweging — have been detained by Security Police.**

The arrests came shortly after police discovered the first of two arms caches.

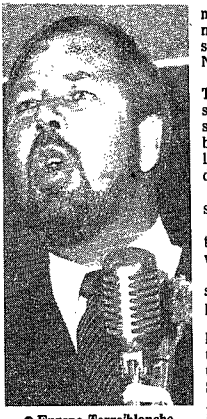
Later Security Police officers discovered a second cache and confiscated an undisclosed number of automatic weapons, ammunition and explosives.

They did not say where the weapons were found.

Mr Terre'Blanche, who has vowed to take up arms should a black government come to power in South Africa, was arrested at his home in Ventersdorp on Friday. He is being held under the Internal Security Act.

His arrest came four days after police arrested a white AWB worker. Police also arrested seven more men — all whites — and then discovered and confiscated the second arms cache.

Mr Louis le Grange, the Minister of Law and Order, has refused to elaborate on a brief statement issued jointly by him and Security Police chief and Acting Commissioner of Police, Lieutenant-General Johan Coetzee.



● Eugene Terre'blanche ... held by police

AWB secretary Mr Jan Groenewald said yesterday the arms had "definitely" not been found at Mr Terre'Blanche's home.

Speaking from the AWB's Pretoria headquarters, he said his organisation was still "in the dark" about the identities of eight of the men.

Other members of the conservative movement — members of which tarred and feathered Pretoria University's Professor Floors van Jaarsveld — also said they knew nothing of the arms caches.

Speculation that top AWB official Mr Dawid Botes had been arrested has been denied by both the police and a member of his family, who said he was on holiday in Namibia.

Meanwhile Mrs Marti Terre'Blanche was quoted as saying on Friday night that she had no idea of her husband's whereabouts after police had taken him to Klerksdorp for questioning.

"We expected this," she said.

"We knew they were going to try to get something with which to nail him."

Yesterday she refused to speak to the Sunday Express.

Mr Terre'Blanche is being held under Section 29/1 of the Internal Security Act, the clause which replaced Section 6 of the Terrorism Act and which provides for indefinite detention for interrogation purposes.

The flamboyant AWB leader is known to be strongly opposed to the constitutional reforms planned by Prime Minister P W Botha.

And he said recently the AWB would use every means at its disposal — even fascism and totalitarianism, or armed revolt — to topple any black government elected to rule over white 'Voortrekker-land' in South Africa.

329 S. Tribune 12/12/82

# Doctors brea

## Medics form a new body because they say MASA has fail

By KEVIN DAVIE

A GROUP of South African doctors have formed a new national medical association because they say the established Medical Association of South Africa (MASA) is inadequate and does not promote conditions of optimum health.

MASA in turn has charged that the new association, the National Medical and Dental Association (NMDA), is "negativistic", and says it doubts the body will be recognised by the Minister of Health.

A statement by the NMDA says doctors decided to form the body because MASA "neither represents the health interests of the majority of South Africans nor does it articulate their health needs adequately.

"It identifies closely with the State and therefore does not vigorously take up issues which result from racial discrimination and which adversely influence health."

MASA is particularly singled out for criticism because of its "shameful role in the Biko affair".

"Biko was the watershed," says Dr Diliza Mji, general secretary of the NMDA, explaining that MASA's "belated and inadequate response" led doctors who were frustrated with this body to decide to form a new association.

Dr Mji says the same applies to the effect the detention laws have on health, charging that MASA "has shown no interest".

"These issues should be taken up as a matter of urgency," he says.

Professor Niklaas Louw, acting chairman of the federal council of MASA, says it is difficult to comment on the formation of the new association until he has had an opportunity to examine its constitution.

But, he said, the NDMA appeared to be a pressure group, and if there was the faintest suggestion of a political background to the body, then the Minister of Health was unlikely to associate with and listen to the association.

"I'd love to see them get recognition from the Minister if they are politically inspired," says Prof Louw.

Dr Mji says political and medical issues cannot always be separated in South Africa.

"MASA says it is non-political and that in theory you can separate politics and medical issues, but it works within the framework worked out by politicians.

"MASA is closely linked to the State and its policies."

The NDMA has said that certain aspects of State policy in South Africa such as the migrant labour policy and the creation of non-viable homelands actively encourage health problems.

"MASA has not argued against the fragmentation of our country's health services and the creation of non-viable homelands where malnutrition and unemployment are rampant, and the migrant labour system with its enormous consequences for the health and welfare of families," says a statement released by the NDMA at its formation in Durban last weekend.

Dr Mji says MASA is silent on these issues, "therefore they acquiesce".

"Our association is saying you cannot have optimum health in South Africa under these conditions."

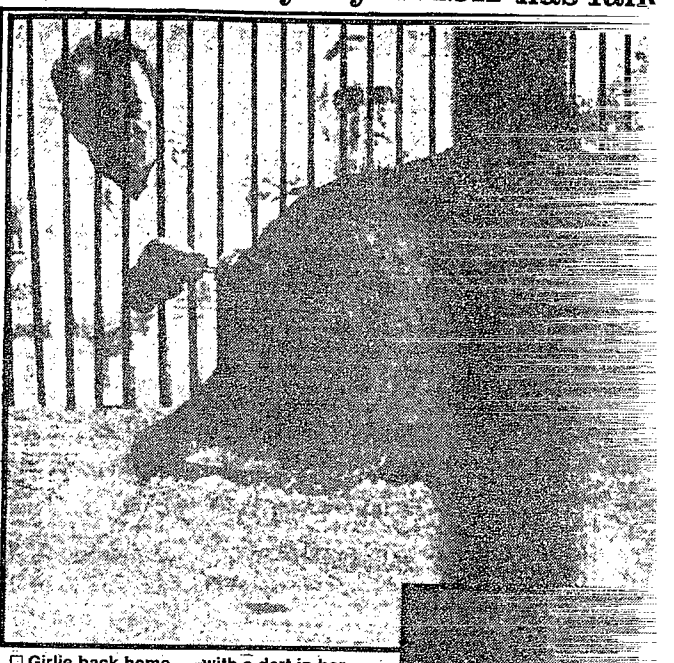
MASA's Prof Louw says they have confronted the Government on certain issues.

"If it wasn't for MASA confronting the Government on salary scales for non-whites, they would have been exactly the same as before. There is no racialism in MASA at all."

He said he doubted the body would have success with the authorities, especially if Biko's name was mentioned, but if the new association "feels it can achieve more by forming a pressure group, then good luck to them".

Dr Mji says the NMDA has no intention of trying to take over all the functions performed by MASA, "but there are certain things MASA is not doing. There are certain things MASA is not vocal about which we hope to be".

The national leadership of the NMDA is Dr B T Naidoo, one of a few black doctors who served on MASA's federal council but later resigned, Professor Jerry Coovadia, Dr Farouk Meer, Professor Hugh Philpot, Dr Ronnie Green-Thompson, Dr Yacoob Rawat, Dr Diliza Mji, Dr N Jinnabhai, Dr Whelile Shasha, Dr Abdul Nana, and Dr Nithia Naidoo.



☐ Girlie back home . . . with a dart in her bottom. Removing it is owner Boswell

## Steve Biko's death was 'the watershed'

☐ The hunt's on

WHEN

12/82

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## MASA has failed to act on crucial health issues

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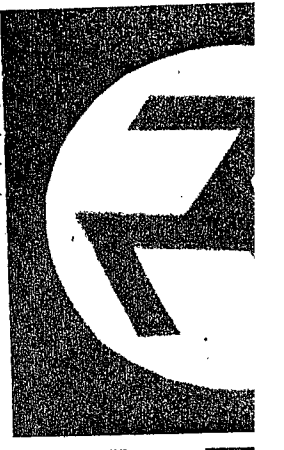
The hunt's on for Girlie — with guns ("just in case"), policemen and a dart pistol

# 'N STEEL

# Weapons in mealie fields, rivers and dams: Nine

# SWOOP ON AWB: ARMS FIN



The swastika-like emblem of the extreme rightwing AWB ... led by Mr Eugene Terre'Blanche.

By NEIL HOOPER

**POLICE have uncovered arms caches throughout South Africa nationwide swoop on the militant Afrikaner Weerstandsbeweg (AWB).**

Nine men, including Mr Eugene Terre'Blanche, leader of the radical right organisation, have been detained.

Policemen using mine detectors made a night-time search of the mealie fields of a Venter farm this week. They discovered metal trunks buried a metre deep and filled with autc weapons, thousands of rounds of ammunition and explosives — allegedly hidden by the AV

The detention of Mr Terre'Blanche, 38, onetime body- to former Prime Min-

# ', rivers and dams: Nine held

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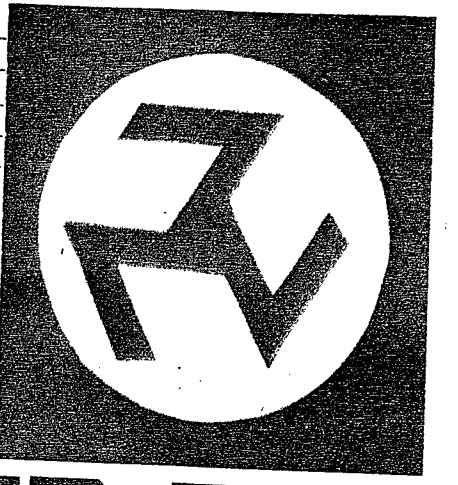

The swastika-like emblem of the extreme rightwing AWB . . . led by Mr Eugene Terre'Blanche.

By NEIL HOOPER

**E have uncovered arms caches throughout South Africa in a wide swoop on the militant Afrikaner Weerstandsbeweging**

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GEN COETZEE
Security Branch tip-off

## An organisation with a policy of hate

By NEIL HOOPER

The AWB was started in 1973 by a group of legal experts, public servants and experts in a variety of other fields, according to claims by its leader, Mr Eugene Terre'Blanche.

Its policy calls for:

- The abolition of all political parties.
- Voters would be white Christians found eligible by a "special court", and members of the AWB. Non-members would not have the vote.
- The AWB Opperraad — and not Parliament — would have the sole say about government policy concerning racial, internal and foreign affairs.

In a interview with the Sunday Times last year, Mr Terre'Blanche admitted that through this process the AWB Opperraad would take political control of South Africa.

had been issued throughout the SAP warning that no member could be, or could become a member of the AWB.

Although Mr Terre'Blanche has frequently denied that his organisation advocated violence, he said at a Pretoria meeting early this year that he would "resist with violence" any attempts by the Government to draw coloured people into the Government.

Despite this, Mr Terre'Blanche maintained that the AWB was a cultural organisation and not a political party, and that there was no reason why members of the SAP could not be members.

Reacting to this, the National Party MP for Pretoria Central, Mr Louis Nel, said this was "utter nonsense".

"It is their aim to destroy democracy in this country.

"The AWB is a radical organisation that wants to destroy anyone not Afrikaner in belief."

(AWB).

**Nine men, including Mr Eugene Terre'Blanche, leader of the radical rightwi organisation, have been detained.**

**Policemen using mine detectors made a night-time search of the mealie fields of a Ventersdo farm this week. They discovered metal trunks buried a metre deep and filled with automa weapons, thousands of rounds of ammunition and explosives — allegedly hidden by the AWB.**

# An organisation a policy o

By NEIL HOOPER

The detention of Mr Terre'Blanche, 38, onetime bodyguard to former Prime Minister Mr John Vorster, was confirmed yesterday by the head of the Security Branch, Lieutenant-General Johann Coetzee.

Mr Terre'Blanche, in his late 30s, is dark-haired, bearded, tall, sturdily built and strong.

Gen Coetzee said that a white employee of the AWB was arrested on Monday after the Security Branch had been tipped off.

The police had seized unlicensed weapons, ammunition and explosives.

Further investigations led to the detention of nine white men, including Mr Terre'Blanche; and the discovery of more arms and explosives.

The general said the nine were being held under security legislation for further questioning.

The Sunday Times learned yesterday that in addition to the swoop on the Ventersdorp farm, police searches throughout the country had uncovered more arms caches.

In some cases, the weapons and explosives had been found in waterproof containers in rivers and dams.

Initial police investigations are understood to indicate that the explosives were obtained illegally from mine supplies by certain mineworkers.

The first news of Mr Terre'Blanche's detention came from his wife.

## Strength

She said on Friday night that he had been arrested that day at his home in Ventersdorp and taken to Klerksdorp for questioning.

"We expected this. We knew they were going to try and get something with which to nail him," she said.

Newspaper reports yesterday speculated that the secretary of the AWB, Mr Dawid Botes, had also been detained.

However, the Sunday Times has learnt reliably that he is on holiday in South West Africa.

The detentions came days before the Day of the Vow, on Thursday, which has special significance for the AWB.

It was Professor Floors van Jaarsveld's call for the de-sanctifying of this holiday which led to the AWB tarring and feathering the Pretoria academic at a meeting in 1979.

On December 16 last year the AWB put on a show of strength.

Blackshirted, uniformed members of the movement's three youth organisations — the Blitskommando, Jeug Kommando and Stormvalke — paraded at various centres throughout the country.

Before the parades, Mr Terre'Blanche frankly ad-

□ To Page 2

The AWB was started in 1973 by a group of legal experts, public servants and experts in a variety of other fields, according to claims by its leader, Mr Eugene Terre'Blanche.

Its policy calls for:

- The abolition of all political parties.
- Voters would be white Christians found eligible by a "special court", and members of the AWB. Non-members would not have the vote.
- The AWB Opperraad — and not Parliament — would have the sole say about government policy concerning racial, internal and foreign affairs.

In a interview with the Sunday Times last year, Mr Terre'Blanche admitted that through this process the AWB Opperraad would take political control of South Africa.

"When it suits us we will announce the names of the members of the Opperraad, who will be drawn from the Hoofraad and the Adviesraad.

## Surprised

"But I think that the public will be very surprised by some of the very prominent members who are among them," he said.

The AWB is believed to be well off financially.

The former Minister of Post and Telegraphs and founder of the Herstigte Nasionale Party, the late Dr Albert Hertzog, gave it financial support.

Funds are also believed to have come from the head of a Pretoria construction company, and a Johannesburg-based campaigner for the Afrikaans language.

Mr Terre'Blanche also claimed to have strong "silent" support among members of the SADF, the SAP and the public service.

In April this year, the Miniser of Law and Order, Mr Louis le Grange, told the Sunday Times that instructions had been issued throughout the SAP warning that no member could be, or could become a member of the AWB.

Although Mr Terre'Blanche has frequently denied that his organisation advocated violence, he said at a Pretoria meeting early year that he would "with violence" any by the Government to coloured people into Government.

Despite this, Mr Terre Blanche maintained that AWB was a cultural or sation and not a political ty, and that there was no son why members of the S

# Minister meeting

(Mr Bosch and Mr van ller were described at an ...ting, introductory, meet- as builders and were also ...d to be representing a ...oria firm of attorneys, ...s Kemp and De Beer, Sunday Times learned week).

Mr van der Walt said at the ...ting that homeland con- ...tion "is not the only so- ...n to the problems of the ...onal states. Consolidation ...l not in itself bring ...elopment."

He said KaNgwane would ... more land and agreed ... "It must be very difficult ... plan any country without ...ing where its borders ... be". He added that con- ...sions could bring ...elopment.

... Bosch said the Holiday ... organisation was put- ... R160-million into Kwa- ...e as the first stage of ... he called a R300-million ...elopment and, according ...e minutes, "he would like ...me to KaNgwane for a ... or two to see what devel- ...ent needs to be ... taken".

...e made it clear to the ...ting, however, that the ...sions had to be grant- first before any further ... took place.

Mr Bosch said it was unnecessary to finalise consolidation before concessions were granted ... "it is important to get the concessions now and KaNgwane can decide later with the developer precisely where sites for the casino, etc, will be".

At that stage Mr van der Walt said concessions could only be put into effect upon independence and asked whether there had been any progress with KaNgwane's request for self-governing status.

## Sign

He was told that nothing further had been heard and he promised to take up the matter with Dr Piet Koornhof, the Minister of Co-operation and Development.

● He then said that KaNgwane need not wait for self-governing status before granting concessions, adding: "Granting concessions will be a sign to the South African Government that KaNgwane wants to move on.

"Perhaps in the specific case of KaNgwane a casino will be allowed before independence (and) a case can be made out to the central Government."

Mr van der Walt emphasised that KaNgwane did not have to await the outcome of consolidation proposals before granting concessions.

Mr van Coller told the meeting that "a casino means big money" and added that the KwaNdebele Government would be getting an estimated R160-million a year from their proposed casino.

The minutes state Mr van der Walt then pointed out that the South African Government was losing money because gamblers were going to neighbouring states.

Mr Nkosi said a decision on a casino could not be given at that time.

The minutes state: "Mr van der Walt points out that KaNgwane may not want a casino now but that in a year's time it may decide that it does want a casino. The important thing is to get the concessions finalised now."

Mr Bosch said local groups were not the only ones interested in concessions.

Mr Bosch also told the meeting that Holiday Inns and Southern Suns may merge their casino interests and that this would give them a monopoly.

He claimed KaNgwane would have to give the merged group the land and finance the casino.

# d 'embarrassed' vernment

S. Times 12/12/84

HESTER CROCKER ... was the puzzle

John Matisonn ...ashington and r Wilkins in Pretoria

During the Falklands crisis the US imposed sanctions on Argentina and froze Argentinian assets in the United States.

South Africa is already subjected to a US arms embargo, but decisions are pending on a number of South African requests to buy nuclear-related items from the US.

The list of restrictions on American exports to South Africa — relaxed in February as part of the administration's policy of constructive engagement with South Africa — is currently under review.

A decision is expected by the end of this month.

Other senior legislators also expressed dissatisfaction with the official US response to the death of 42 people in Maseru.

Senator Charles Percy, Republican chairman of the ...mate African Affairs ...tegrity of its neighbours," Senator Percy said.

"At a time of sensitive negotiations with respect to Namibia and Angola, and of an American attempt to pursue a policy of constructive engagement with South Africa, it is very disappointing for those of us who seek to promote non-violent solutions to Southern African problems to witness an escalation of violence," Senator Kassebaum added.

Under the headline "Bully" the Washington Post said in an editorial yesterday none of the reports from Lesotho support South Africa's claim that the victims were recently arrived ANC terrorists planning to undertaken new missions soon.

"Most of the victims were refugees, including some women and children, and the others were Lesotho ...

# Nazi Youth image of AWB

□ From Page 1

mitted to the Sunday Times that the AWB youth organisations were similar to the German youth movements which helped Hitler to power, but denied that the AWB was a neo-Nazi movement.

He also confirmed links between the AWB and the ...wa Brandwag (OB) — ...he rightwing organisation which opposed South Africa joining the Allies in fighting Hitler.

Many OB members were interned at Koffiefontein for the duration of the war because of their views.

Mr Terre'Blanche admitted that two senior OB members — one the former head of the OB "Stormjaers" — were on the Hoofraad (executive) of the AWB.

In April this year the Prime Minister, Mr P W Botha, made a swingeing attack on the AWB.

## Attacked

"There is no place in South Africa for communists and neo-Nazis," he said.

He also attacked a statement by Mr Terre'Blanche that South African Jews should be deprived of the vote.

Mr Botha said the remarks had been "highly objectionable and all thinking South Africans will dissociate themselves from them".

He gave the Government's backing to a warning issued earlier to the AWB by the Minister of Law and Order, Mr Louis le Grange, that they should think carefully before clashing with the State.

"They are very brave at their meetings, marching in uniforms, but they seem to be absent from the front ranks when it comes to the defence of the borders," the Prime Minister said.

Property seized

(329) (844) Star 13/12/82

# AWB 9: interrogation results go to A-G this week

By Mike Cohen and Colleen Ryan

Nine members of the ultra rightwing Afrikaner Weerstandsbeweging are being interrogated at length by the Security Police in Pretoria and the results of the investigation are to be forwarded to the Attorney-General this week.

Explosives and ballistics experts are still examining the cache of arms, ammunition and explosives which was uncovered last week from mealie fields and a dam in the Western Transvaal.

All nine men, including the leader of the AWB, Mr Eugene Terre'Blanche, his brother Mr Andries Terre'Blanche, and the son of a millionaire farmer, Mr Joos du Plessis, are being held in terms of the Internal Security Act.

The section under which they are being held allows for indefinite detention, but it is believed the matter will be decided on this week by the Attorney-General of the Transvaal.

A spokesman for police headquarters in Pretoria said today no further statements on their detention would be made as it "may hamper the investigation."

Police have declined to comment on reports that the weapons they seized were of Russian origin.

The AWB is dedicated to preserving the purity of white South Africa at any cost.

Mr Terre'Blanche has expressed his group's extreme views at numerous meetings.

Last year The Star reported Mr Terre'Blanche warning the outside world with the words: "You are not getting white South Africa."

He said the people wanted a white Government for a white state and would not tolerate a "baster" (half breed) Government. He also attacked the proposed Constitutional changes, saying these would lead to the "anti-Christ" praying with whites.

The AWB gained considerable attention in March 1979 with the tarring and feathering of verligte historian, Professor Floors van Jaarsveld, at a Unisa symposium in Pretoria. He was attacked for his interpretation of the Day of the Vow.

The radical movement originated in the 1960s on conservative university campuses, but it was only in 1973 that the AWB adopted a constitution and its notorious emblem resembling the nazi swastika.

This, with the AWB's unltra-rightwing principles, led some critics to brand the group as nazis.

Mr Terre'Blanche, who claims once to have been a bodyguard to the former Prime Minister, John Vorster, had denied he has nazi leanings.

The principles of the movement include:

- The establishment of a white-ruled Christian dictatorship.
- A separate homeland for coloureds.
- The abolition of all political parties.
- Voting restricted to white Christians selected by a special AWB court.
- Other race groups to enjoy only certain rights as guests of the state.
- All blacks must eventually be allocated to a homeland.

Government leaders have repeatedly criticised the AWB. The Prime Minister, Mr P W Botha, warned Mr Terre'Blanche there was no room in Southern Africa for "neo-nazis."

● See Page 3.

# Terre'blanche opposed to violence — AWB

ARGUS 13/12/87 329

PRETORIA. — The Afrikaner Weerstandsbeweging said today it could not be held responsible for the "unauthorised and illegal" actions of members.

Commenting on the detention of the AWB leader, Mr Eugene Terre'blanche, and eight other AWB members, the secretary of the organisation, Mr J J Groenewald, said if any of the detainees had overstepped the law, the AWB dissociated itself from their alleged actions.

Mr Groenewald said the detention of the AWB members did not conform to Mr Terre'blanche's "declared standpoints on violent action. We must accept that his detention is unjust," he said.

"No discussions were held or orders given that could have given rise to the alleged offences.

"At our last meeting, Mr Terre'blanche unambiguously spoke out against violence. The AWB emphasises that his motives and actions are not and cannot come under suspicion."

Mr Groenewald said the AWB still tried to promote its objectives along constitutional lines.

Police refused to comment on reports that Russian-made weapons had been seized. — Sapa

# Ex-detainee to sue nine security policemen for R60 000

(329) Mercury 13/12/82

**Mercury Correspondent**

JOHANNESBURG—Former Nusas president Auret van Heerden is to sue nine members of the Security Branch for a total of more than R60 000 for assaults allegedly perpetrated against him while he was in detention.

Mr van Heerden, who was released in July this year after almost 10 months in detention, recently gave evidence at the inquest on the death in detention of trade unionist Neil Aggett.

Mr van Heerden occupied a cell opposite Dr Aggett's in John Vorster Square.

Mr van Heerden said yesterday that the security policemen he intends suing are Maj A M Cronwright, Maj Abrie, Maj J N Visser, Maj Olivier, W/O L C P Prince, Lt H C J Pitout, Lt P Botes, W/O Fourie, Capt A A Struwig and Mr J van Aswegen, a national serviceman.

Specific acts of assault and torture were set out in the notices handed to the men, said Mr van Heerden.

Maj N Heynes of the Police Directorate of Public Relations confirmed that the policemen concerned had received notices of intent to claim damages.

Mr van Heerden added that a dead cat wrapped up in a bag was deposited at the front door of his home on Monday last week.

(329)

Star 14/12/82

# Detainees must be told of medical rights'

Prisoners and detainees should be informed of their right of access to medical attention, says a resolution passed unanimously by the College of Medicine in South Africa.

The resolution published in the South African Medical Journal says: "The medical opinion of a medical practitioner charged with the care of a prisoner or detainee should at all times be paramount, because such a practitioner cannot exercise his professional functions if he is subject to any other authority."

The resolution was passed at a recent council meeting of the College of Medicine.

# SADF confirms detention of 6

Mail Africa Bureau

WINDHOEK. — The South African Defence Force yesterday confirmed it had detained six men on November 7 near Ondangua in Owambo.

The men were held under security proclamation AG9, and released the following day.

The men were Mr Abel Kandjabanga, 16, Mr Petrus Aluendo, 16, Mr Willem Kangwe, 17, Mr Willem Matheus, 32, Mr Erastus Kakangwa, 35, and Mr Thomas Andima, 20.

A spokesman for the South West Africa Territory Force said yesterday the SADF had no record of Mr Djeipo Shindele, who was detained on the same night in the same area, and is believed to be still in detention.

A spokesman for the Administrator-General's office said yesterday there were no age restrictions on detentions under AG9.

# Police silent on AWB crackdown

(329) Star 15/12/82

By Sheryl Raine
Pretoria Bureau

Police in Pretoria today refused to confirm or deny that one of the 10 Afrikaner Weerstandsbeweging members detained in terms of the Internal Security Act had been released.

It is believed that at least one detainee was released yesterday. No names are known.

A police spokesman confirmed today that an 18-year-old schoolboy, first thought to have been detained in connection with an investigation into the AWB, was not detained.

To date 10 people have been detained since a crackdown on the militant ultra-right-wing organisation.

A spokesman for police headquarters in Pretoria said he could not give any further information concerning AWB detentions as this could hamper investigations.

Police have confirmed the arrest of AWB secretary Mr Jan Groenewald.

He was detained on Monday shortly after releasing a statement in which the pro-white AWB dissociated it-

To Page 3, Col 4

# Crackdown on AWB

(329) Star 15/12/82

From page 1

self from violent opposition to the State.

Mr Groenewald is being held, together with the leader of the AWB, Mr Eugene Terre-Blanche, and others for interrogation in terms of the Internal Security Act.

The Act allows for indefinite detention but a police spokesman said dockets of the investigation would be sent to the Attorney-General of the Transvaal as soon as possible.

Explosives and ballistics experts are still examining arms, ammunition and explosives discovered in a mealie field and a dam in the Western Transvaal.

The AWB, deprived of its chief office-bearers, has elected ex-Ossewabrandwag officer, Mr Barnie Basson (63) as its acting leader.

See Page 15.

# Mpetha trial: Remarks withdrawn

Cape Times 15/12/82

329

THE attention of the Cape Times has been drawn to a report of December 8 in which the South African Students' Association (Sasa) called for the release of Mr Oscar Mpetha and 18 other men who have been on trial in the Cape Supreme Court for 20 months charged with murder and under the Terrorism Act.

The report said that Sasa had drafted a petition calling for the immediate release of Mr Mpetha and his co-accused and all people detained or imprisoned "without fair trial, bail or hearing".

In so far as these remarks imply that Mr Mpetha and his co-accused are not receiving a fair trial this is an unwarranted reflection on the Supreme Court which we unreservedly withdraw.

# Resolution on detainees

CAPE Times 15/12/82

329

**Staff Reporter**

THE medical opinion of a doctor charged with the care of a prisoner or detainee "should at all times be paramount", according to a resolution adopted by the College of Medicine of South Africa.

The resolution, which was unanimously passed at a recent council meeting, affirmed the college's commitment to the Tokyo Declaration adopted by the World Medical Association in 1975. The Tokyo Declaration provides guidelines for medical doctors treating detainees or prisoners.

The Cape

# Aggett inquest verdict next week

Cape Times 16/12/82

329

Staff Reporter

A FINDING in the inquest on trade unionist Dr Neil Aggett, who was found hanged in his cell at John Vorster Square on February 5 this year, will be delivered on Monday in the Johannesburg Regional Court.

The inquest began on March 2 and lasted 42 days, spread over six months.

On November 4 the magistrate, Mr P A J Kotze, complimented counsel for the Minister of Law and Order, the Aggett family and the office of the Attorney-General, for the way in which they handled their briefs, and suggested December 20 (Monday) as the day for pronouncement of verdict.

Mr Kotze said he would deal in detail with all the evidence presented to him and that pronouncement of the verdict could take two days.

In his final submissions, Mr George Bizos, SC, for the Aggett family, said the circumstances of Dr Aggett's detention and interrogation, including physical ill-treatment, resulted in his decision to take his own life.

## Security police

Mr Bizos submitted that the security police, and in particular Major Arthur Cronwright, who was in overall charge of the interrogation and investigation of Dr Aggett, and Lieutenant Stephan Peter Whitehead, who was in direct control of Dr Aggett's interrogation, were guilty of culpable homicide "because of what they themselves did or what they allowed others to do and/or what they failed to prevent others from doing to Dr Aggett".

A completely contrary view was argued by Mr Pieter Schabort, for the Minister of Law and Order, in his final submissions. He contended that there was not enough evidence to find anyone responsible for Dr Aggett's death.

Even if allegations of assault were proved, there was no connection between them and Dr Aggett's suicide, he said.

# Police deny detaining boy

By JOUBERT MALHERBE
Pretoria Bureau

POLICE in Pretoria yesterday denied reports that a 16-year-old Pretoria schoolboy had been detained in connection with the activities of the Rightwing Afrikaner Weerstandsbeweging.

Police would not say whether the schoolboy had been questioned by them and said only that neither the boy nor his father — believed to be overseas — had ever been detained.

Yesterday the deputy Attorney-General of the Transvaal, Mr S A Engelbrecht, said he had not yet been handed a police docket relating to last week's detention of AWB leaders.

He did not know what the charges would be or when the men would appear in court.

A relative of the schoolboy refused to comment yesterday on reports that the boy was held for about five hours while being questioned.

"I have no comment," she said.

According to the reports, the boy was asked to identify people who allegedly stowed away arms and explosives in underground dugouts on farms belonging to members of the AWB.

Police said last week they had uncovered arms and ammunition caches on farms in the Western Transvaal, but have refused to elaborate on their investigations into the activities of the movement.

Police yesterday would not say whether one of the AWB members detained in last weeks swoop had been released.

pared to an average 8,0% increase in household size. "In 1975, 37% of these so-called unemployed persons were males as against 42% in 1980," Nel points out; and

□ In the PWV complex, male earners in Johannesburg made up the smallest percentage of total earners. They also made up a smaller percentage of total earners in 1980 than in 1975, and men's average earnings is "appreciably" higher than women's.

Nel also reveals that the percentage of households with female heads rose steadily from 1975, reaching 25,6% of all multiple households in 1980. A breakdown of all households with an income below MLL revealed that 22,7% of all households with male heads and 44,4% of all households with female heads were below their MLL.

SECURITY

# The IS Act at work

FM 17/12/82

One of the most powerful pieces of legislation ever passed in SA, the new Internal Security (IS) Act, came into force this year — and is already being used intensively. Basically, it streamlines and extends earlier security legislation and it has been used on people ranging from Afrikaner-Weerstandsbeweging (AWB) leader Eugene Terre'Blanche and eight of his followers to liberal Afrikaner theologian Beyers Naude.

The Rabie Commission, which many had hoped would help liberalise security legislation, recommended that existing laws be repealed and rationalised. Most of the draft legislation suggested by the commission was incorporated into the IS Act.

In a section entitled "Measures in Respect of Certain Persons" it streamlines provisions for banning and detention. A review procedure for bannings, by a three-person board appointed on the recommendation of the Minister and headed by a judge, is provided for.

As Beyers Naude found this week, the board need not have anything to do with the person whose banning order it is reviewing. Following Naude's refusal to appeal against his banning the board reviewed it anyway. Following a closed two-week review it decided that although his recently extended banning order should be retained it should be relaxed to a certain extent — thus allowing him to attend social-gatherings and enter educational institutions and black townships.

The Act provides for three kinds of detention — preventive, the holding of potential State witnesses and indefinite interrogatory detention. Terre'Blanche and his supporters are being held for interrogation.

The new IS Act does away, wholly or in part, with the previous Internal Security Act of 1950 — originally the Suppression of Communism Act — the Terrorism Act, the General Law Amendment Act (which covered sabotage), and the Riotous Assemblies and the Unlawful Organisations Act.

However, the main provisions of the new law are adapted from the old Terrorism, Internal Security and Sabotage Acts.

Earlier provisions for detention ranged from 14-days under the General Law Amendment to indefinite detention under section six of the Terrorism Act, and sections 10 and 12b of the old Internal Security Act, which provide respectively for preventive detention and holding State witnesses.

Section 28 of the new Act allows for long-term preventive detention — effectively "internment," while section 10 covers the same ground as the old Internal Security Act.

Section 29 incorporates the core of section six of the Terrorism Act, providing for indefinite detention for interrogation.

Section 30 empowers the Attorney General to prohibit the release of prisoners, once charged, on bail, and section 31 provides for the detention of potential State witnesses.

**Beeyers Naude ... banned under the IS Act**

Section 50 introduces a new type of preventive detention: "Action to combat a state of unrest." Any police officer above the rank of warrant officer, if he thinks that certain actions contribute to a state of unrest and that detention would contribute to termination or prevention of unrest, may without warrant arrest or cause people to be detained for 48 hours. This period can be extended for a further 14 days by a magistrate. It amounts to "riot-control" detention, aimed at situations like Soweto '76 and possibly activities like last year's Republic Day demonstrations.

Professor Mike Hough of the Institute for Strategical Studies in Pretoria told the *FM*: "The new security legislation reflects a developing national security system for SA, with a broader framework of gathering intelligence and channelling it to a central point — namely, the State Security Council (SSC). Naturally, the respective areas of operation of SA's Military Intelligence, the National Intelligence Service and the Security Police are not absolutely defined or mutually exclusive. The Security Police, for example, have run agents outside the country. But ultimately all information flows to the SSC.

"The New Internal Security Act's objectives were, firstly, to streamline security legislation by bringing together powers and provisions scattered across a number of different laws and, secondly, to close loopholes — for example, by tightening up on definitions of communism and of the ANC," Hough said.

He points out that a good deal of weight is given to *preventive* measures. "The objective of legislation is to have a deterrent effect, and the objective here is to have a broad scale deterrent that doesn't just depend on passing individuals through the judicial process. But as the Rabie Commission emphasised, every aspect of the security situation can't be remedied through legislation. That's only a part of it."

After all, locking up people's bodies has never been the recommended way of winning their hearts and minds.

# Church service: 31 are charged

**Own Correspondent**

PORT ELIZABETH. — Police yesterday charged 31 people who attended a church service, organized by the Detainees' Parents Support Committee and addressed by Mrs Helen Joseph, with entering the New Brighton African township illegally.

Those charged included Mrs Molly Blackburn, MPC for Walmer, Mrs Di Bishop, MPC for Gardens, Mr Brian Bishop, chairman of the Civil Rights League, the Rev George Irvine of St John's Methodist Church in Port Elizabeth, five journalists, a Rhodes University staff member, students from Rhodes and the University of the Witwatersrand and members of the Black Sash.

Mrs Joseph had a permit to be in the area.

Police mounted roadblocks in the area of the Arthur Wellington Methodist Church where the service was held.

Some of the police had dogs. Others, some of them carrying submachine-guns, patrolled the area in vans and stopped cars leaving the church after the service.

Mrs Bishop said: "It is unbelievable to see the amount of manpower and trucks used to harass the 31 white people who had come to listen to one of South Africa's most outstanding women. We are witnessing a ridiculous show of force that would not intimidate me and everybody here from moving freely in the country of our birth."

Mr Bishop said it was "inspiring to listen to Helen Joseph and share in the harassment she suffered for so long".

Mrs Blackburn said Mr Louis Koch, chief director of the Eastern Cape Administration Board, had told her she was welcome to attend church services in the township.

● Asked for comment, Mr Koch said his department had stopped issuing permits for people attending bone fide church services at the invitation of the church or as guests.

He said that as far as he could recollect, Mrs Blackburn had an "open" permit to enter the townships between certain hours.

Mrs Joseph may not be quoted because she is a listed as "restricted". She was the first South African against whom such action was taken.

# Police free four AWB members held in hotel

(329) (344) Star 18/12/82

By Mike Cohen,
Crime Reporter

"I was treated fantastically and was held in detention in a hotel," said Mr Andries Terre'Blanche, a member of the far-rightwing Afrikaner Weerstandsbeweging, who was detained by the South African Security Police this week.

He is the brother of AWB leader, Mr Eugene Terre'Blanche, one of six AWB members still in detention.

In a telephone interview, Mr Andries Terre'Blanche, one of four AWB detainees released yesterday, said he had the greatest respect for the South African Police and Security Police.

"I was afforded the best facilities and the only interrogation I underwent was of a routine nature," he said.

But, he said, he was informed by Security Police shortly after his release that he was in no way allowed contact with any other of the AWB members released yesterday.

Other members released were: Mr Johannes Herbst, Mr Martin van Jaarsveld and the son of an Eastern Transvaal millionaire, Mr Antonie du Plessis.

Their release was confirmed yesterday by a spokesman for the Police Directorate of Public Relations based in Pretoria.

The statement of their release was announced more than a week after the announcement of the detention of at least nine AWB members and the seizure of an arms cache which included explosives.

The cache had been buried in mealie fields and in a dam in the Western Transvaal.

Police headquarters in Pretoria have repeatedly refused to issue any statements in connection with the detentions or the arms haul except to confirm that the leader of the AWB was in detention.

Yesterday the acting leader of the AWB, Mr Barnie Basson, said Mr Eugene Terre'Blanche had always been against violence.

Commenting on the statement that they were held in a hotel, Mr Basson said: "If they were guilty they would have been held in a prison.

"I have never believed that those men were guilty."

Mr Andries Terre'Blanche said he believed the AWB offered the only solutions for the problems facing South Africa.

"Only the Afrikaner Weerstandsbeweging can save South Africa. And the right way will be shown at the ballot boxes — with the cross in the right place," he said.

He said the South African Police and Security Police had treated him well from the highest to the lowest rank.

"I have the highest respect for them."

A spokesman for the Detainees' Parents Support Committee, which campaigns for the rights of detainees, said yesterday when asked to comment about AWB members being held in a hotel: "I can't believe it is true. I thought they were being kept in Pretoria Central.

"If they were kept in a hotel they have set a precedent and we want all detainees to be offered the same treatment. Past practice has been very different."

He said nobody should be detained without trial — not even the AWB.

A spokesman for police headquarters in Pretoria said last night that six members of the Afrikaner Weerstandsbeweging were still being held by Security Police.

18/12/82

# Member of SAAWU detained in raid

D. Dispatch

EAST LONDON — Ciskei security forces raided the homes of a number of trade union leaders and arrested at least one union member, unionists here said yesterday.

Mr Yure Mdyogolo, branch secretary of the South African Allied Workers' Union (Saawu), said his 24-year-old brother, Mr Sebenzile Mdyogolo, had been arrested in a dawn raid on his home.

"Members of the Ciskei Combined Forces came to the house early on Thursday morning and woke everyone up," he said.

"They said they were looking for documents and asked some questions about the ANC and then took Sebenzile away."

He said his brother was an ordinary member of Saawu and worked for the Da Gama textile company, and was not a senior member of the union.

Mr Bonsile Norushe, branch secretary of the African Food and Canning Workers' Union, said his home was also raided and searched for "books and documents."

They said the homes of the branch secretary of the General Workers' Union (GWU), Mr David Thandani, the President of Saawu, Mr Thozamile Gqweta, and a former branch chairman of Saawu, Mr Eric Mntonga, were also raided.

The Commander-in-Chief of Ciskei State Security, Lieutenant-General Charles Sebe, said on Thursday that the Ciskei Central Intelligence Service (CCIS) together with the Sword of the Nation squad had searched the homes of several "activists" in Mdantsane since the beginning of the week.

General Sebe could not be contacted yesterday to confirm if Mr Sebenzile Mdyogolo had been arrested in the raids. — DDR

# 'Fantastic' in hotel detention, says Terre'Blanche

w/k Argus 18/12/82

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**Weekend Argus Correspondent**

JOHANNESBURG. — "I was treated fantastically and was held in detention in a hotel," said Mr Andries Terre'Blanche, brother of the leader of the Afrikaner Weerstandsbeweging who was detained by security police this week.

Mr Terre'Blanche, freed yesterday, said he had the greatest respect for the South African Police and the security police.

"I was afforded the best facilities and the only interrogation was of a routine nature", Mr Terre'Blanche added.

But he said he was told just before his release that he was not allowed to contact other AWB members who were released yesterday.

Others released were Mr Johannes Herbst, Mr Martin van Jaarsveld and Mr Antonie du Plessis, son of an Eastern Transvaal millionaire.

Their release was confirmed by a spokesman for the Police Directorate of Public Relations.

The announcement of their release was made more than a week after the detention of at least nine members of the AWB and the seizure of an arms cache, which included arms, ammuniton and explosives.

## Buried

The cache was buried in mealie fields and submerged in a dam in the Western Transvaal.

Police headquarters in Pretoria have repeatedly refused to issue statements in connection with the detentions or the arms haul, except to confirm that the leader of the AWB was in detention.

Yesterday the acting-leader of the AWB, Mr Barnie Basson, said Mr Eugene Terre'Blanche, the AWB leader, was always against violence.

Commenting on the statement that the detainees were held in a hotel, Mr Basson said: "If they were guilty, they would have been held in a prison.

"I never believed those men were guilty."

Mr Andries Terre'Blanche said he believed the AWB was the only solution for South Africa's problems.

CAPE Times 18/12/82 329

# Police free four AWB members

PRETORIA. — Four of the Afrikaner Weerstandbeweging (AWB) members detained in terms of the Internal Security Act after police had reportedly found AWB arms caches had been released, the Police Directorate of Public Relations confirmed in Pretoria yesterday.

Among the four is Mr Andries Terre'Blanche, brother of the movement's leader, Mr Eugene Terre'Blanche, who is still in detention.

A police spokesman named the other men released as Mr Johannes Frederikus Wilhelmis Herbst, Mr Antonie Johannes Jurgens du Plessis and Mr Martin Jacobus van Jaarsveld.

The 10 were detained for questioning in connection with the arms caches reportedly discovered by the police last week.

They were held under a section of the Act that provides for indefinite detention.

Among the six still being held is Mr Jan Groenewald, the movement's secretary.

The police spokesman declined to name the other four men still in detention and said the investigation was continuing.

In Johannesburg, Mr Andries Terre'Blanche says he had received "hotel" treatment from the security police.

He spoke to the Rand Daily Mail yesterday from his Ventersdorp farm soon after his release. He said he was proud of the security police.

"They (the police) are all Christians. It was nice (the time in detention) and I never had the impression I was a prisoner."

He warned a Rand Daily Mail reporter that he had taped the discussion and would take action if his point of view was misrepresented in the report.

"This discussion is on tape and if you dare misrepresent what I have said about the police you will get to do with me personally — in my way," Mr Terre'Blanche said.

His brother, Eugene, and eight other AWB members are still believed to be in detention in connection with arms caches found in mealie fields, dams and rivers by police last week.

Earlier this week the secretary of the AWB, Mr Jan Groenewald, was also detained following a police raid on the AWB offices, Volksstem Avenue, Pretoria, on Monday afternoon.

It is believed the others were all arrested on Thursday or Friday last week. — Sapa, Own Correspondent

S Express 19/12/82

# World spotlight focuses on Namibia's detainees

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By DAVID PIETERS

FEW of Namibia's political detainees are ever brought to trial, according to the the territory's Attorney-General, Mr Don Brunette.

"There is one case pending at the moment but usually not more than one or two a year eventually appear on charges", Mr Brunette said.

The state of Namibia's unknown number of political prisoners attracted attention again this month with the release of Amnesty International's latest report, followed by an accusation that South Africa was torturing political prisoners in Namibia and a call to Mr P W Botha for an independent inquiry.

This was punctuated by the deaths of two Kavango residents shortly after their detention by police forces in separate incidents on the same day.

The Commissioner of the Namibian police, General Dolf Gouws, rejected Amnesty's torture claims and said: "I am shocked at the accusation."

While the guidelines recommended for treatment of detainees by Minister of Police Louis Le Grange do not apply in Namibia, rights of prisoners held without trial are laid down.

The actions of police are governed by the same regulations contained in standing orders of the SA Police, Namibian Security Police Chief Brigadier Johannes van der Merwe said.

And a spokesman for the SWA Territory Force said the force's treatment of detainees was subject to the provisions of AG Proclamation 9 of 1977.

Most political prisoners in custody are being held under under this proclamation, according to Mr John Viall, of the Attorney-General's office in Windhoek.

AG 9 — Security Districts Proclamation 1977 — includes provisions for:

- Relocating peoples' place of residence and curfews.
- Searches and detentions without warrant.
- Detention of up to 30 days which can be prolonged by the AG.
- Interrogation by any authorised member of the security forces.

The proclamation grants considerable rights of indemnity from any legal action to the authorities, while providing for the AG 's specific permission before the detainee can have access to legal representation.

According to Mr Viall "nobody is being held under AG 226 at the moment as far as I know".

This proclamation was issued in 1978, largely to combat Swapo's boycott campaign against the elections for a Constituent Assembly at the time.

Unlike AG 9, this one spells out rights for detainees to:

- Be given a copy of the arrest warrant, and reasons, — in writing, for the arrest — by the AG on request.
- Notify a friend or relative of his detention.
- Visits by a State medical officer and by a magistrate.
- Submit written representations to a review committee.

However the committee's deliberations or records may not be disclosed to the public and the AG need not give effect to the committee's recommendations, nor has any court jurisdictions over its functions or decisions.

In Namibia's war zone the SA Defence Act of 1957 applies. Its Section 103 on indemnity states: "No proceedings, whether civil or criminal, shall be instituted or continued in any court of law against the State (or) a member of the SA Defence force, or any other person in the service of the State by reason of any act advised, commanded, ordered, directed or done in good faith for the purposes of or in connection with the prevention of suppression of terrorism in any operational area".

The rider 'in connection with' is one of the points providing potential indemnity for deaths in detention, torture, or the disappearence of detainees in Namibia's war zone, according to legal opinion.

Recent examples where such incidents were coupled to bone fide suspicion of a detainee's association with 'terorist' activities, include:

- General Gouws' statement about deceased Kavango detainee Mr Kaduma Katanga: "After questioning he confessed to being a terrorist." Katanga died shortly afterwards from unknown causes. Police are to conduct a full inquiry into the deaths of Mr Katanga and another Kavango detainee, Mr Jone Hamukwaya.
- The disappearance of a Kaokoland resident, Mr Johannes Kakuva, late in 1980 after being allegedly released from custody to lead security forces to a group of insurgents. Official spokesmen surmised that Mr Kakuva might have been killed by Swapo.
- The disappearance of the body of a detainee — "shot while trying to escape" — from Ruacana's air strip en route to the police morgue in Oshakati, Ovamboland, in January.

# AGGETT: VERDICT IN 3 DAYS?

AR645 20/12/82

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**Argus Correspondent**

JOHANNESBURG. — The Johannesburg magistate presiding over the inquest into Dr Neil Aggett's death today began summarising 3 254 pages of proceedings.

Mr P A J Kotze

Dr Neil Aggett

Evidence was recorded from 52 people who were called before him.

The magistrate, Mr P A J Kotze, said it was his duty to establish the identity of the deceased, the cause or likely cause of the death, the date of the death, and whether the death was brought about by any act or omission on the part of the police or return a verdict of no finding.

Mr Kotze's summary and verdict are expected to last two or three days.

He said Dr Neil Hudson Aggett died on February 5 in his cell at John Vorster Square.

Mr Kotze said Sergeant James Agenbag, whose duty it was to check on prisoners every hour in their cells, visited Dr Aggett's cell (209) at about 1.30 am.

He saw Dr Aggett hanging against the grill door of his cell. He felt in vain for a pulse and there was no breathing. In his opinion Dr Aggett was dead.

**ARRESTED**

On two earlier visits that evening, he said Dr Aggett had indicated to him that "everything was OK".

Mr Kotze said Dr Aggett was arrested at Crown Mines by Captain Jacob Strauss on the morning of November 26 last year.

Captain Strauss said he asked Dr Aggett about his involvement with the

*(Turn to Page 2, col 6)*

P.T.O.

AGGETT DOSSIER

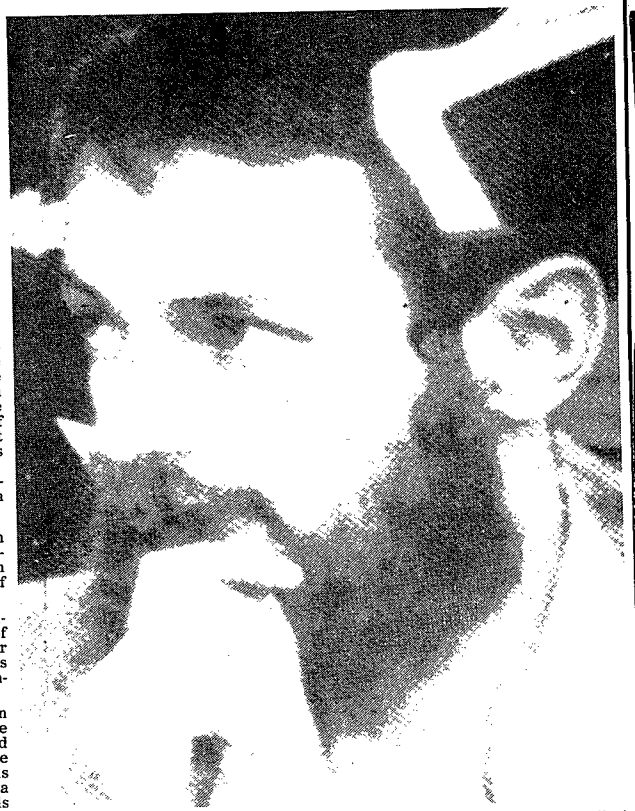
CAPE TIMES 20/12/82 (329)

# Doctor's death: What the inquest revealed

Dr Liz Floyd, fellow detainee and Dr Aggett's lover, gave evidence during the inquest.

Captain Whitehead who interrogated Dr Neil Aggett for 62 hours at John Vorster Square.

Mr and Mrs J A Aggett of Somerset West, the parents of Dr Aggett.



Dr Neil Aggett, the UCT-trained doctor and trade unionist who died in detention.

**FEBRUARY**

**Feb 5:** Dr Neil Aggett, 27, found hanged in his cell at Security headquarters, John Vorster Square.

Widespread protests from trade unionists, lawyers, opposition politicians, newspapers and academics.

Calls for a full-scale judicial inquiry.

Dr Liz Floyd, fellow detainee and Aggett's lover, admitted to the psychiatric unit of Johannesburg Hospital.

**Feb 8:** Mounting local and international political reaction. Demonstrations in London. Local trade unions organize protest stoppages. Churches call for protest vigils. Thousands attend memorial services.

**Feb 12:** Opposition spokesmen call for judicial inquiry.

**Feb 13:** Thousands of mourners in funeral procession.

**Feb 17:** Parliamentary debate refused because the matter was *sub judice*. Minister of Police denied the allegations of ill-treatment contained in a letter written by a detainee. Mrs Helen Suzman, MP, accused of fabricating documents.

**March 2:** Inquest on Aggett opened before magistrate Mr P A J Kotze and adjourned at the request of Mr George Bizos, counsel for the Aggett family, to enable the evidence of fellow detainees to be led.

**APRIL**

**Apr 8:** Association of Law Societies of South Africa declares: "The public no longer believes that detainees are not maltreated."

**Apr 13:** Dr Vernon Kemp, district surgeon of Johannesburg, gives evidence to the inquest about a band of material round the neck and of district surgeon while in detention since last November. He said there was a possibility, not a probability, that Aggett would have been alive if medical attention had not depended on the whim of the interrogator.

**June 8:** A police sergeant who discovered Aggett hanging in his cell had never heard of an Inspector of Detainees. He had standing orders to visit detainees every hour but on the night of Aggett's death he had been "too busy to comply".

**June 9:** A police constable said he had never seen a magistrate during the seven months that he worked at John Vorster Square. Although he had instructions to check on prisoners every hour, he and other policemen had been very busy that night.

He made an incorrect entry in the occurrence book that they had visited the prisoners just before 1am. In the false entry he noted that the prisoners had no complaints.

The court was told that the Inspector of Detainees had come to visit on January 4 but was told he could not see Aggett.

An officer of the security evidence of former detainee, Maurice Smithers.

**June 16:** The Inspector of Detainees said that security detainees were reluctant to lodge complaints because they feared these would be shown to the people against whom they were made.

**June 21:** The magistrate was asked to admit as evidence the affidavits of 13 detainees whose evidence, like that of the former detainee, Smithers, complained of physical assault and of humiliation of detainees by making them undress, laughing and sneering at them, attacking their genitals, depriving them of long periods of sleep, and of electric shocks and assaults while doing physical exercise.

Mr Schabort opposed the application and said that the allegations of ill-treatment were irrelevant to the medical finding that Aggett died by hanging.

**June 22:** The magistrate ruled that affidavits by Aggett's girlfriend and seven detainees and former detainees on treatment in detention were were allowed the privilege of two hour-periods of exercise in the open air but no Section 6 detainee received exercise in the open air because there was no small yard available for this purpose.

**June 26:** Major Cronwright, the head of the interrogation division at John Vorster Square, had wished to arrest people mentioned by Aggett and this has been discussed in front of Aggett. At about 1.30 the following morning, Aggett had been found hanged.

Brigadier Muller refused to disclose the "new names" but claimed that Aggett had written them down on a piece of paper.

**June 28:** Major Cronwright said the security police were in no hurry and Aggett could "have stayed there for a year". He had given permission to Captain Whitehead to interrogate Aggett for 62 hours between January 28 and 31. But he dissociated himself from Captain Whitehead's statement that Aggett required more "intensive" interrogation.

He denied a statement by Mr Bizos that a "tremendous conspiracy a torn shirt, allegedly ripped by a security policeman during an interrogation session, as evidence of assault and planned to lay a charge.

**Sept 21:** Mr Schabort objected that the evidence of a former detainee could not be submitted on a "similar fact" basis. He had made allegations of assault but had not named the police officers involved.

An awaiting-trial prisoner said he had seen blood on Aggett's face.

**Sept 23:** Pramanthan Naidoo, a detainee, presented an affidavit with detailed allegations of torture.

He said he had been allowed only a few hours of sleep; made to stand for long periods with his right-hand wrist and ankle handcuffed together.

A canvas bag had been placed over his head; he had been punched and kicked; beaten on the soles of his feet; had his head banged against a desk; and elastic bands had been shot at his penis while he was standing naked.

Major Cronwright had known of the torture and had entered the interrogation room while he was standing naked.

Mr Schabort said the affidavit was a mixture of lies and half-truths and the policemen involved would give evidence refuting these claims.

**Sept 24:** A trade unionist alleged that he was given electric shocks while being interrogated, placed in leg-irons and punched and slapped by Major Cronwright.

Other detainees said they had seen Aggett being assaulted.

**Sept 28:** Captain Naude, an East London security policeman, said that seen in the context of a security investigation Aggett ly been assaulted said he had never been questioned about it although Aggett had lodged a complaint.

**OCTOBER**

**Oct 5:** Major Visser and Captain Swanepoel, security officers alleged to have carried out a 12-hour interrogation of Aggett, denied that their role was to pressure Aggett and to keep him awake.

Major Visser said that Aggett had admitted to being a socialist and this was similar to admitting to being a communist.

Just before Major Visser was due to go off duty, Aggett had agreed to "open up his heart and write a statement of the whole truth". They had

Venter and Warrant-Officer Smith, giving evidence on allegations made by the detainee, Naidoo, denied the allegations and also denied mistreating three other former detainees.

Lieutenant Venter said he could see no reason why the three should accuse him of assault except that "they may have wanted to cast a bad light on the security police".

Warrant-Officer Smith did not think 50 hours was an unreasonable time to be kept in the company of his interrogators.

Naidoo was more comfortable in the office than he would have been in his cell. He said that the purpose of keeping Naidoo in the office for 50 hours was to prevent him from com-

chologist of the Rand Afrikaans University, testified that Aggett was not likely to have committed suicide in view of his personality and background. He described Aggett as a "loner".

He denied a suggestion by Mr Schabort that Aggett might have wanted to be a martyr.

**Oct 29:** Professor Jan Plomp, a professor of psychiatry at the University of Pretoria, said that if Aggett's complaint of assault was true, the assault could have triggered his suicide.

**NOVEMBER**

**Nov 3:** In argument, Mr Bizos said that Major Cronwright and Captain Whitehead, who had subjected Aggett to "intensive interrogation", were

cannot confirm the cause of these injuries.

Mr P J Schabort, counsel for the ministers of police and law and order, objects to the reading of a statement made by Aggett 14 hours before his death.

**Apr 14:** A ruling by the magistrate that the statement could be put to the witness is challenged by Mr Schabort. Inquest adjourned to enable Mr Schabort to apply to the Supreme Court for a ruling.

**JUNE**

**June 2:** Mr Justice Eloff in the Pretoria Supreme Court remarks that the international reputation of South Africa and the esteem of the South African Police would suffer if the circumstances surrounding Aggett's death were not fully probed.

Mr Schabort argues that the contents of the Aggett statement should not be made public "in the interests of national security".

**June 3:** Supreme Court rules that the statement is admissible. The affidavit is published and alleges that Aggett was hit, kicked, punched, electrically shocked and that his private parts were assaulted. He said he had been in an interrogation room for 62 hours.

**June 7:** Dr Kemp, the Johannesburg district surgeon, says that the scratches, marks and scabs described by Aggett corresponded with injuries found in the post-mortem examination.

There was no evidence that Aggett had seen a doctor on November 2[illegible] they could be called to give oral evidence.

The Inspector of Detainees said that a detainee had complained that he had been taken to the Sandton police cells where a member of the security police told him that he would be killed if he did not tell the truth.

Another complained that he had been ill-treated; and another said he wanted to lay a charge against a warrant officer who had kicked his cell door and shouted "Staan op, kaffir".

The inspector said he had immediately reported their complaints to the Minister of Police.

**June 24:** Brigadier Muller, the head of the security police in Johannesburg, said that if he had known about it he could have authorized or forbidden the 62-hour interrogation.

Sometimes the lengthy interrogation was at the request of the detainee who wanted to finalize the interrogation. He agreed that there had been an undue delay between January 4, when Aggett lodged a complaint with a magistrate, and February 4, when the investigation began.

He agreed that if Aggett had, as he claimed, been allowed 10 hours sleep during a 62-hour interrogation, it would have been "a gross deprivation".

**June 25:** Brigadier Muller denied that Aggett had been locked up in his cell and not allowed out over weekends. Detainees sons for putting pressure on Aggett.

Brigadier Muller threatened to bring a court interdict against the Rand Daily Mail if any photographs of his men were taken. Any photograph, he said, would be an invasion of the private lives of himself and his men.

Major Cronwright said that at his own discretion he had withheld from the inquest dozens of pages of statements written by Aggett as they contained secret information.

**June 29:** The magistrate agreed to postpone a ruling on whether to use certain documents of Aggett's interrogation after an appeal that the contents "would implicate a very respected person in this court today" with the Communist Party.

Major Cronwright read a sentence from a statement by Aggett in which he said "I support the Marxist ideology and therefore I am a communist".

Mr Bizos applied for the statement to be admitted as evidence and was opposed by Mr Schabort. The magistrate reserved his finding and the inquest was adjourned.

**August 18:** Mr Louis le Grange, the Minister of Law and Order, said he wished to make it abundantly clear that he was not insensitive to deaths in detention.

**SEPTEMBER**

**Sept 20:** A banned former detainee, Mr Keith Coleman, said Aggett kept "He smoked, ate his meals with us; we let him have a break when he got tired; he was interested in sport and had been cooperative and made a good impression."

He was not with Aggett all the time but it was unlikely that he had been ill-treated in his absence.

**Sept 30:** Captain Naude said that the public outcry about detentions had not affected security police investigations. The security police saw no difference between members and sympathizers of the ANC.

A 26-page statement that Aggett had typed had not incriminated Aggett nor anyone else.

Lieutenant Carr, a security policeman, said that he made Dr Liz Floyd, Aggett's girlfriend, stand while she was being interrogated, to discipline her because she was being "insulting and sarcastic".

He said he told Dr Floyd that she would be detained indefinitely if she did not give a satisfactory statement, but denied that this was a threat.

He denied Dr Floyd's claim that she had been made to stand for about 45 minutes and that he had been angry with another policeman who had let her sit down.

He said she had called the police a "klomp bastards" and it was the first time he had made a detainee stand.

A security policeman who was interrogating Aggett when he had alleged-

y way and gradua y Aggett became more friendly and spoke more freely.

Captain Swanepoel said he had questioned Aggett about three other detainees and told him they had information linking him with the ANC and SACTU.

He had used classified information that he could not tell the court.

**Oct 7:** Captain Whitehead said that the security police considered sympathizers with the ANC to be ANC members. He said that sympathizing was not considered an offence under the Internal Security Act but the issue should be seen in a wider context.

A political scientist at the University of the Witwatersrand said that Aggett's language in admitting he was a communist "made nonsense" of other parts of the statement.

He concluded that Aggett allowed these references to be included, but in a terminology he would not naturally employ.

**Oct 8:** Captain Whitehead said that six weeks after Aggett's death, he went with a colleague, Sergeant Erasmus, to Aggett's parents' house in Somerset West. Sergeant Erasmus had offered to pay the Aggett maid for information and said she would be jailed if she spoke about the investigation.

Captain Whitehead denied that if Aggett had committed suicide it was because he had driven Aggett to it.

**Oct 12:** Lieutenant

ticns.

**Oct 13:** Warrant-Officer Smith, describing the interrogation of Naidoo, said that the first he had heard of Brigadier Muller being opposed to "intensive interrogation" was when he heard about it in court.

He denied that any assault had taken place on Naidoo and said that he had been well treated.

**Oct 25:** Mr Auret van Heerden, a former Nusas president who was released in July after 10 months in detention and who had occupied a cell opposite Aggett's, said that Aggett could not be wakened to eat his meal after the 62-hour interrogation.

Aggett told him shortly before his death that he had been "broken" by the interrogation session. He was so struck by the deterioration in Aggett that he decided to tell the security police that the trade unionist could be suicidal. That night, when he heard a commotion outside his cell, he knew "the worst had happened".

**Oct 26:** Mr Van Heerden said he was warned by Major Cronwright that if he spoke of what he knew of Aggett's death, he would be jailed and banned and house-arrested on his release.

Major Cronwright was not going to make his statement available to the inquest because his men "were doing a good job in preventing terrorism in the country".

**Oct 28:** Professor Vorster, a clinical psy-

cide. Aggett would not have taken his life but for the 70-day detention and his treatment at the hands of the security police.

He said that the police theory that Aggett had taken his life because he had betrayed his friends was totally improbable.

If a request for authority to detain those named by Aggett was true, the police were hiding behind a claim of privilege, and an attempt to claim privilege on the ground of the public interest was spurious.

He argued that the police officers involved were a "closely knit group whose loyalty to one another is greater than their respect for the truth".

**Nov 3:** Mr Schabort said that there was not enough evidence to find anyone responsible for Aggett's death. Even if the allegations of assault were proved, there was no connection between them and his suicide.

He announced that Mr Le Grange, the Minister of Law and Order, had issued a certificate granting privilege to documents that had been withheld from the court. These included four pages of notes made by Aggett during his interrogation and said by the police to be crucial to their investigation.

Mr Schabort said that Mr Maurice Smithers had fabricated his evidence of an assault on Aggett in order to create sensation.

He said that there were contradictions in the evidence of former detainees.

Thousands marched in Dr Neill Aggett's funeral on February 13, eight days after he died in detention at John Vorster Square, Johannesburg.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**SKATING BOOTS**, two pairs, white girls, sizes 11 and 1; R14 each. — Phone 64 1285.

**SUITS**, gent's, several, R20 each; various other clothing to clear. Kenilworth Main Road. — Phone 71 0335 before 10am.

**TYCO** Selectrix car set. Complete, new, with extra track, collision crossing, R55 — Ph. 43 9588.

**WARDROBE**, dressing table, sideboard, kitchen table and two chairs, occasional tables, fridges, stretcher, carpet. — Phone 46 2608 (Wynberg).

**YARD OF ALE** beer glass, by Thos Webb, crystal; R65. — Phone 77 8602.

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**CHILD'S** curtains, two, plus pillowslip 2,17 m long, very pretty, excellent condition; R22. — Ph. 46 1763.

**CURTAINS**, one pair brown and white cottage weave, 2,15 m long, 1,45 m wide, excellent; R25. — Ph. 46 1763.

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**STEREO** cassette deck, Sanyo, RD-W1, with dolby; R350. — Phone 64 1285.

**STEREO** cassette deck, Sanyo, RD-W1, with dolby; R350. — Phone 64 1285.

**TYPEWRITER**, Olivetti Lettera 32, portable, with case; R60. — Phone 64 1285.

**TYPEWRITER**, Olivetti Lettera 32, portable, with case; R60. — Phone 64 1285.

**WASHING MACHINE**, Defy, twin tub, in good condition; R60. — Phone 64 1285.

**WASHING MACHINE**, Defy, twin tub, in good condition; R60. — Phone 64 1285.

**WATER HEATER**, Ariston, 50 litre

Dr Liz Floyd

# 'Thank God it is nearly over'

Argus Correspondent

JOHANNESBURG. — "Thank God it is nearly all over," was the heartfelt feeling of Dr Liz Floyd today as the mammoth inquest on her boyfriend, Dr Neil Aggett, reached its last stage.

As about 100 family, friends, colleagues and spectators crammed into the Johannesburg Magistrate's No 18 court, Dr Floyd said: "I never dreamt that the inquest would last so long — it has all been like a year of detention for me."

Looking calm, but with the tension written on their faces, Dr Aggett's parents, Mr and Mrs Aubrey Aggett, arrived about 10 minutes before the start of the inquest at 11,15 am.

"TRYING"

"It has been a very trying time," said Mr Aggett when asked about the inquest which has been spread over seven months.

He and Mrs Aggett were mobbed by more than 30 pressmen as they arrived at the courts this morning. They were warmly greeted by Mr Jan Theron, general secretary of the African

(Turn to Page 3, col 1)

# Dr Liz Floyd

(Contd from Page 1)

Food and Canning Workers Union, which Dr Aggett belonged to.

Another key figure in the inquest who was present in court today was Major Arthur Cronwright, who along with Lieutenant Steven Whitehead, was accused during the inquest of having caused Dr Aggett to hang himself.

RELAXED

Dressed in a green suit and looking relaxed, Major Cronwright arrived about an hour before the magistrate, Mr Petrus Kotze, started giving his findings.

Waiting for proceedings to start, Major Cronwright chatted with Brigadier Hennie Muller, head of the security police on the Witwatersrand at the time of Dr Aggett's death.

Among the 30 pressmen who crowded into the court were several overseas television units.

PACKED

The court was packed when Mr Kotze started giving his summary.

With the public gallery crammed with about 100 spectators, some people were unable to get into the court. About 15 annoyed spectators were locked out.

About 10 policemen were on duty and spectators were screened with a metal detector before being allowed into the courtroom.

# 'Illegal' entry charges: Louw urged to act

Cape Times 20/12/82

**Political Correspondent**

AN Opposition provincial councillor last night called on the Administrator, Mr Gene Louw, to intervene on behalf of two Progressive Federal Party MPCs and others charged with entering a Port Elizabeth black township illegally.

Mrs Di Bishop, MPC for Gardens, and Mrs Molly Blackburn, MPC for Walmer, were among 31 people charged last week with attending a church service in New Brighton organized by the Detainees' Parents Support Committee.

Mr Frank van der Velde, chief Opposition whip in the Provincial Council, said Mr Louw should see that the charges against all those concerned, including the two Cape MPCs, were dropped immediately.

"I find it shocking and disgraceful that in a country where the government professes to be Christian, people are charged as criminals for attending a church service," he said in a statement.

"I look upon the action of the police as a contempt of the Provincial Council.

## Intimidation

"A great deal has been made by TV and other media about the intimidation of Ian Smith in Zimbabwe. We should look to ourselves and stop this intimidation of Opposition public representatives."

Mr Van der Velde said that if this was a taste of the the government's new deal, Mr Louw owed an explanation to all Opposition members, including the voters of Gardens and Walmer.

# Ciskei hits at unionists

Labour Reporter

Armed members of the Ciskei police, army and intelligence service raided the homes of trade unionists in Mdantsane township last Thursday.

Trade unions have condemned the raids as provocative and said they were intended to intimidate unionists living in Ciskei.

Ciskei's intelligence service head, Lieutenant-General Charles Sebe, confirmed that raids were carried out on Thursday.

He said only homes belonging to members of the South African Allied Workers' Union (Saawu) were raided. "We will raid more Saawu people because Saawu is not a union, it is the ANC," Lieutenant-General Sebe said.

However, unionists said Ciskei forces also raided the homes of union officials of the African Food and Canning Workers' Union and the General Workers' Union.

The general secretary of the AFCWU, Mr Jan Theron, said heavily armed police had seized documents from one home.

"We view this action by the Ciskei authorities as terrorism," Mr Theron said.

(329) NOM 20/12/82

# SAP 'torture' row

SOUTH African police systematically torture political detainees despite government guidelines forbidding abuse, alleges a report issued yesterday by three human rights groups.

The report was jointly published by the British Council of Churches, the International Commission of Jurists and the Catholic Institute for International Relations — a charity not formally allied with the Catholic church.

Torture included beatings with gun butts and bricks, forcing detainees to stand for days at a time and depriving them of sleep and toilet facilities, the report said.

Police also used a method called "The helicopter" in which a detainee was handcuffed at the wrists and ankles, then suspended from a pole between his arms and legs, it said". — UPI.

TZ

# UK pamphlet alleges torture by SA police

(329) E. Post 20/12/82

LONDON — Detainees held under South Africa's security laws are systematically tortured, beaten, humiliated and subjected to death threats, according to a pamphlet published yesterday.

The pamphlet, entitled *Torture in South Africa,* was based on submissions to the South African Government by the Detainees' Parents Support Committee formed in November 1981.

According to the document, publication was scheduled to coincide with the verdict of an inquest in South Africa into the death of Dr Neil Aggett, Transvaal secretary of the Food and Canning Workers' Union, who died in detention last February.

The collection was published by the Catholic Institute for International Relations, a voluntary aid and information group, the Human Rights Forum of the British Council of Churches and the International Commission of Jurists.

It includes a description attributed to a fellow prisoner of the distressed state of Dr Aggett after alleged prolonged interrogation and beatings by police, before he was found hanging in his cell.

According to the pamphlet, malpractices have been reported in police stations all over South Africa, and in the homelands such as Venda.

The document listed suffocation, electric shocks, attacks on the genitals, deprivation of food and sleep, hooding and beatings among the malpractices.

Only a small minority of persons alleged to have been assaulted or abused were convicted of any offence, or even charged, it said. — Sapa-Reuter

# The Aggett dossier

**WHY did Dr Neil Aggett die? Was it the result of an unlawful act by the security police? And if so, who in the Security Police were responsible? These are some of the questions which the Aggett inquest magistrate, Mr Petrus Kotze, might answer this morning, when the court re-assembles to hear his findings.**

**This is a chronological summary of the Neil Aggett inquest.**

## FEBRUARY

**Feb 5:** Dr Neil Aggett, 27, found hanged in his cell at Security headquarters, John Vorster Square.

Widespread protests from trade unionists, lawyers, opposition politicians, newspapers and academics.

Calls for a full-scale judicial inquiry.

Dr Liz Floyd, fellow detainee and lover of Aggett, admitted to psychiatric unit of Johannesburg hospital.

**Feb 8:** Mounting local and international political reaction. Demonstrations in London. Local trade unions organise protest stoppages. Churches call for protest vigils. Thousands attend memorial services.

**Feb 12:** Opposition spokesmen call for judicial inquiry.

**Feb 13:** Thousands of mourners in funeral procession.

**Feb 17:** Parliamentary debate refused because the matter was *sub judice*. Minister of Police denied the allegations of ill-treatment contained in a letter written by a detainee. Mrs Helen Suzman, MP, accused of fabricating documents.

**March 2:** Inquest on Aggett opened before [illegible] Mr P J [illegible]

had been very busy that night.

He made an incorrect entry in the occurrence book that they had visited the prisoners just before 1 a m. In the false entry he noted that the prisoners had no complaints.

The court was told that the Inspector of Detainees had come to visit on January 4 but was told he could not see Aggett.

An officer of the security police said that at 6 15 am on November 27 he went to Aggett's house and arrested him for futhering the aims of the ANC. The warrant for detention made no mention of ANC activities and provision was made only for detention.

**June 10:** A security officer told of finding books by Trostsky and Lenin. Three ANC documents found in a brief case belonging to Aggett did not appear in the inventory for which Aggett signed.

**June 11:** A woman police sergeant said she investigated allegations of electric shock torture made to a magistrate. She visited Aggett the day before he died, almost three weeks after the complaints had been made to the magistrate.

Aggett lodged a complaint with a magistrate and February 4 when the investigation began.

He agreed that if Aggett had, as he claimed, been allowed 10 hours sleep during a 62-hour interrogation, it would have been 'a gross deprivation'.

**June 25:** Brigadier Muller denied that Aggett had been locked up in his cell and not allowed out over weekends. Detainees were allowed the privilege of two hour-periods of exercise in the open air but no Section 6 detainee received exercise in the open air because there was no small yard available for this purpose.

**June 26:** Major Cronwright, the head of the interrogation division at John Vorster Square, had wished to arrest people mentioned by Aggett and this had been discussed in front of Aggett. At about 1 30 the following morning Aggett was found hanged.

Brigadier Muller refused to disclose the 'new names' but claimed that Aggett had written them down on a piece of paper.

**June 28:** Major Cronwright said the security police were in no hurry and Aggett could 'have stayed there for a year'. He had given permission to Lieutenant Whitehead to interrogate Aggett for 62 hours between January 28 and 31. But he dissociated himself [illegible]

of lies and half-truths and the policemen involved would give evidence refuting these claims.

**Sept 24:** A trade unionist alleged that was given electric shocks while being interrogated, placed in leg-irons and punched and slapped by Major Cronwright.

Other detainees said they had seen Aggett being assaulted.

**Sept 28:** Captain Naude, an East London security policeman, said that, seen in the context of a security investigation, Aggett was handled well. 'He smoked, ate his meals with us, we let him have a break when he got tired, he was interesed in sport, and had been co-operative and made a good impression.'

He was not with Aggett all the time but it was unlikely that he had been ill-treated in his absence.

**Sept 30:** Captain Naude said that the public outcry about detentions had not affected security police investigations. The security police saw no difference between members and sympathisers of the ANC.

A 26-page statement that Aggett had typed had not incriminated Aggett or anyone else.

Lieutenant Carr, a security policeman, said that he made Dr Liz Floyd, Aggett's girl friend, stand while she was being interrogated to discipline her because she was being 'insulting and sarcastic'.

He said he told Dr Floyd that she would be detained indefinitely if she did not give a satisfactory statement but denied that this was a threat. He denied Dr Floyd's claim that she had been made to stand for about 45 minutes and that he had been angry with another policeman who had let her sit down.

He said she had called the police 'klomp bastards' and it was the first time he had made a detainee stand.

A security policeman who was interrogating Aggett when he had allegedly been assaulted said he had never been questioned about it although Aggett had lodged a complaint.

## OCTOBER

**Oct 5:** Major Visser and Captain Swanepoel, security officers alleged to have carried out a 12-hour interrogation of Aggett, denied that their role was to pressure Aggett and to keep him awake.

Major Visser said that Aggett had admitted to being a socialist and this was similar to admitting to being a communist.

Just before Major Visser was due to go off duty Aggett had agreed to 'open up his heart and write a statement of the whole truth'. They had talked all day in a friendly way and gradually Aggett became more friendly and spoke more freely.

Captain Swanepoel said he had questioned Aggett about three other detainees and told him they had information linking him with the ANC and SACTU. He had used classified information that he could not tell the court.

**Oct 7:** Captain Whitehead said that the security police considered sympathisers with the ANC to be ANC members. He said that sympathising was not considered an offence in the Internal Security Act but the issue should be seen in a wider context.

A political scientist at the University of the Witwatersrand said that Aggett's language in admitting he was a communist 'made nonsense' of other parts of the statement. He concluded that Aggett allowed these references to be included but in a terminology he would not naturally employ.

**Oct 8:** Lieutenant Whitehead said that six weeks after Aggett's death he went with a colleague, Sergeant Erasmus, to Aggett's parents' house in Somerset West. Sergeant Erasmus had offered to pay the Aggett maid for information and said she would be jailed if she spoke about the investigation.

Lieutenant Whitehead denied that if Aggett had committed suicide it was because he had driven him to it.

**Oct 12:** Lieutenant Venter and Warrant Officer Smith, giving evidence on allegations made by the detainee Naidoo, denied the allegations and also denied mistreatment of three other former detainees. Lieutenant Venter said he could see no reason why the three should accuse him of assault except that 'they may have wanted to cast a bad light on the Security Police'.

Warrant Officer Smith did not think 50 hours was an unreasonable time to be kept in the company of his interrogators. Naidoo was more comfortable in the office than he would have been in his cell.

He said that the purpose of keeping Naidoo in the office for 50 hours was both to prevent him committing suicide and to get him to answer more questions.

**Oct 13:** Warrant Officer Smith, describing the interrogation of Naidoo, said that the first he had heard that Brigadier Muller was opposed to 'intensive interrogation' was when he heard about it in court. He denied that any assault had taken place on Naidoo and said that he had been well treated.

**Oct 25:** Mr Auret van Heerden, a former Nusas president who was released in July after 10 months in detention and who had occupied a cell opposite Aggett's, said that Aggett could not be wakened to eat his meal after the 62-hour interrogation. Aggett told him shortly before his death that he had been "broken" by the interrogation session.

He was so struck by the deterioration in Aggett that he had decided to tell the security police that the trade unionist could be suicidal. That night when he heard a commotion outside his cell he knew 'the worst had happened'.

Major Cronwright told him he was not going to submit the statement to the inquest because it was his duty to protect his men.

**Oct 26:** Mr Van Heerden said he was warned by Major Cronwright that if he spoke of what he knew of Aggett's death he would be jailed and banned and house-arrested on his release. He was not going to make his statement available to the inquest because his men 'were doing a good job in preventing terrorism in the country'.

**Oct 28:** Professor Vorster, a clinical psychologist of the Rand Afrikaans University, testified that Aggett was not likely to have committed suicide in view of his personality and background. He described Aggett as a 'loner'. He denied a suggestion by Mr Schabort that Aggett might have wanted to be a martyr.

**Oct 29:** Professor Jan Plomp, a professor of psychiatry at the University of Pretoria, said that if Aggett's complaint of assault were true it could have triggered his suicide.

## NOVEMBER

**Nov 3:** In argument Mr Bizos said that Major Cronwright and Lieutenant Whitehead who had subjected Aggett to 'intensive interrogation' were guilty of culpable homicide. Aggett would not have taken his life but for the 70-day detention and his treatment at the hands of the security police.

He said that the police theory that Aggett had taken his life because he had betrayed his friends was totally improbable. If a request for authority to detain those named by Aggett were true the police were hiding behind a claim of privilege and an attempt to claim privilege on the ground of the public interest was spurious.

**Nov 3:** Mr Schabort said that there was not enough evidence to find anyone responsible for Aggett's death. Even if the allegations of assault were proved there was no connection between them and his suicide.

He announced that Mr Le Grange, the Minister of Law and Order, had issued a certificate granting privilege to documents that had been withheld from the court. These included four pages of notes made by Aggett during his interrogation and said by the police to be crucial to their investigation.

Mr Schabort said that Mr Maurice Smithers had fabricated his evidence of an assault on Aggett in order to create sensation.

He said that there were contradictions in the evidence of former detainees.

Kotze and adjourned on the request of Mr George Bizos, counsel for the Aggett family, to enable the evidence of fellow detainees to be led.

## APRIL

**April 8:** Association of Law Societies of South Africa declares: 'The public no longer believes that detainees are not maltreated.'

**April 13:** Dr Vernon Kemp, district surgeon of Johannesburg, gives evidence to the inquest about a band of material round Aggett's neck and of abrasions and scars but could not confirm the cause of these injuries.

Mr P J Schabort, counsel for the Ministers of Police and Law and Order, objected to the reading of a statement made by Aggett 14 hours before his death.

**April 14:** A ruling by the magistrate that the statement could be put to the witness was challenged by Mr Schabort. Inquest adjourned to enable Mr Schabort to apply to the Supreme Court for a ruling.

## JUNE

**June 2:** Mr Justice Eloff in the Pretoria Supreme Court remarks that the international reputation of South Africa and the esteem of the South African police would suffer if the circumstances surrounding Aggett's death were not fully probed.

Mr Schabort argued that the contents of the Aggett statement should not be made public 'in the interests of national security'.

**June 3:** Supreme Court rules that the statement is admissible. The affidavit is published and alleges that Aggett was hit, kicked, punched, electrically shocked and that his private parts were assaulted. He said he had been in an interrogation room for 62 hours.

**June 7:** Dr Kemp, the Johannesburg district surgeon, says that the scratches, marks and scabs described by Aggett correspondended with injuries found in the post-mortem examination.

There was no evidence that Aggett had seen a district surgeon while in detention since last November. He said there was a possibility not a probability that Aggett would be alive if medical attention did not depend on the whim of the interrogator.

**June 8:** A police sergeant who discovered Aggett hanging in his cell had never heard of an Inspector of Detainees. He had standing orders to visit detainees every hour but on the night of Aggett's death he had been 'too busy to comply'.

**June 9:** A police constable said he had never seen a magistrate during the seven months that he worked at John Vorster Square. Although he had instructions to check on prisoners every hour he and other policemen three visits to see Aggett only to be told he was 'out'. He eventually saw him on January 18 when he complained of ill-treatment.

**June 14:** Mr Maurice Smithers, a former detainee, gives evidence that he had seen Aggett being ill-treated and had smuggled out the note that Mrs Suzman read to Parliament.

**June 15:** An African sergeant, who had said he had never left the tenth floor or saw or had anything to do with Aggett, said he now remembered taking Aggett out of his cell.

An African lieutenant was accused by Mr Bizos of consulting with other witnesses to contradict the evidence of former detainee Maurice Smithers.

**June 16:** The Inspector of Detainees said that security detainees were reluctant to lodge complaints because they feared these would be shown to the people against whom they were made.

**June 21:** The magistrate was asked to admit as evidence the affidavits of 13 detainees whose evidence, like that of the former detainee Smithers, complained of physical assault and of humiliation of detainees by making them undress, laughing and sneering at them, attacking their genitals, depriving them of long periods of sleep, electric shocks and assaults while doing physical exercise.

Mr Schabort opposed the application and said that the allegations of ill-treatment were irrelevant to the medical finding that Aggett died by hanging.

**June 22:** The magistrate ruled that affidavits by Aggett's girl friend and seven detainees and former detainees on treatment in detention were admissible. He also ruled that they could be called to give oral evidence.

The Inspector of Detainees said that a detainee had complained that he had been taken to the Sandton police cells where a member of the security police told him that he would be killed if he did not tell the truth; another complained that he had been ill-treated; and another said he wanted to lay a charge against a warrant officer who had kicked his cell door and shouted 'staan op, kaffer'.

The Inspector said he had immediately reported their complaints to the Minister of Police.

**June 24:** Brigadier Muller, the head of the security police in Johannesburg, said that if he had known about it he could have authorised or forbidden the 62-hour interrogation.

Sometimes the lengthy interrogation was at the request of the detainee who wanted to finalise the interrogation. He agreed that there had been an undue delay between January 4 when that Aggett required more 'intensive' interrogation.

He denied a statement by Mr Bizos that a 'tremendous conspiracy trial' was one of the reasons for putting pressure on Aggett.

Brigadier Muller threatened to bring a court interdict against the Rand Daily Mail if any photographs of his men were taken. Any photograph, he said, would be an invasion of the private lives of himself and his men.

Major Cronwright said that at his own discretion he had withheld from the inquest dozens of pages of statements written by Aggett as they contained secret information.

**June 29:** The magistrate agreed to postpone a ruling on whether to use certain documents of Aggett's interrogation following an appeal that the contents 'would implicate a very respected person in this court today' with the Communist Party.

Major Cronwright read a sentence from a statement by Aggett in which he said: 'I support the Marxist ideology and therefore I am a communist'.

Mr Bizos applied for the statement to be admitted as evidence and was opposed by Mr Schabort. The magistrate reserved his finding and the inquest was adjourned.

**August 18:** Mr Louis le Grange, the Minister of Law and order, said he wished to make it abundantly clear that he was not insensitive to deaths in detention.

## SEPTEMBER

**Sept 20:** A banned former detainee, Mr Keither Coleman, said Aggett kept a torn shirt, allegedly ripped by a security policeman during an interrogation session as evidence of assault and planned to lay a charge.

**Sept 21:** Mr Schabort objected that the evidence of a former detainee could not be submitted on a 'similar fact' basis. He had made allegations of assault but had not named the police officers involved.

An awaiting-trial prisoner said he had seen blood on Aggett's face.

**Sept 23:** Pramanthan Naidoo, a detainee, presented an affidavit with detailed allegations of torture. He said he had been allowed only a few hours of sleep; made to stand for long periods with his right-hand wrist and ankle handcuffed together; a canvas bag placed over his head; punched and kicked; been beaten on the soles of his feet; had his head banged against a desk; had elastic bands shot at his penis while he was standing naked.

Major Cronwright had known of the torture and had entered the interrogation room while he was standing naked.

Mr Schabort said the affidavit was a mixture

# A ghost is accusing

A MAN died in secret — but his ghost haunts South Africa, accusing his captors. Dr Neil Aggett is among the 52 who have died in police custody. His ghost joins that of Steve Biko, the fifth anniversary of whose death was commemorated during the Aggett inquest.

Biko's ghost still surfaces to haunt the SA Medical Council, and it has recently threatened to thwart the business future of former Justice Minister, Jimmy ("it leaves me cold") Kruger, whose callousness in October '77 is still universally remembered.

This morning, the Aggett inquest magistrate can make a number of decisions:

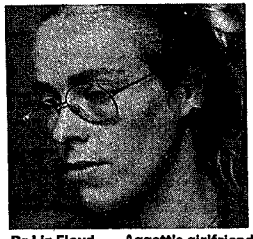
- He can decide that no one was responsible — as in the Biko case.
- He can return an "open verdict". This means he can say it is difficult to pinpoint who was reponsible because of conflicting evidence, and can refer the record and exhibits to the Attorney-General.
- He can name the person or persons responsible for Aggetts death.
- His findings could also say how Aggett came to die.
- He can indicate what, if any, specific unlawful acts or omissions caused Aggett's death.
- And he can reply to charges from Aggett's family lawyers that Major A Cronwright and Lieutenant Stephan Whitehead are criminally responsible.

Whatever he decides, Aggett's death has already had worldwide repercussions.

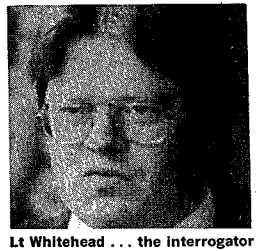
He has been posthumously given a US human rights award. A peak viewing-time Thames TV film has been screened on the inquest. And the Minister of Law and Order, Mr Louis le Grange, has announced what he calls a more humane code for the treatment of detainees.

Biko died of injuries sustained in custody. Only his captors witnessed Biko's last hours. A mist surrounds his death. That inquest did not reveal who, if anyone, caused it.

But fellow-detainees say they saw Aggett, usually fleetingly, in the passage and washroom. And he was able — they claimed in evidence — to converse with them or communicate in sign-language, whispers, body gestures or codes.



Dr Liz Floyd . . . Aggett's girlfriend



Lt Whitehead . . . the interrogator

## But will anyone ever be accused?

Why did Dr Neil Aggett die? Was it the result of an unlawful act by the Security Police? And if so, who in the Security Police were responsible? These are some of the questions which the Aggett inquest magistrate, Mr Petrus Kotze, might answer this morning when the court reassembles to hear his findings. This report from CHARLES BLOOMBERG.

This is because, unlike Biko, he was held as part of a group of fellow-trade unionists and white leftists suspected of fomenting ANC-linked labour unrest.

The detainee version now supplements (and contradicts) the testimony of his captors, who were, as in Biko's case, the main eyewitnesses. The result is two opposing accounts.

Named by Barbara Hogan in a secret document intercepted by Security Police, Aggett's friends were all questioned by a team commanded by Major Cronwright, chief interrogator at John Vorster Square — a team which, detainees say, used similar procedures of intimidation and maltreatment against captives.

So Aggett's family lawyers, Mr G Bizos SC and Mr D Kuny, led "similar-fact" evidence to suggest that he had been ill-treated in the same way, and was thereby driven to hang himself.

Nine of Aggett's fellow-detainees challenged the Security Police version in a confrontation unique in South Africa's legal history.

They gave information under oath, that otherwise could not be published under the Police Act, about ill-treatment, prison conditions and torture.

The public clash between police and political prisoners lasted seven weeks, in South Africa's longest-ever inquest.

During this period, interrogators have faced the interrogated in a battle to establish precisely what happens in detention — and in particular what happens on the 10th floor of John Vorster Square.

Both the interrogators and the interrogated relived in open court their encounter in police cells.

Each challenged the other's truthfulness. Each made allegations against the other.

One of South Africa's most dramatic courtroom confrontations was in the final resort a battle for credibility — a battle of two contradictory versions, under oath, of what happens to detainees.

Horror — or fun and games? Torture — or friendly chats? Detainees alleged psychological and physical pressure, aimed at debilitating them. Five former detainees gave evidence of their own torture or maltreatment. A solid front of Security Policemen flatly deny this.

The two sides were also at odds over Aggett's last hours.

Was he treated kindly — or was he driven beyond the end of his tether?

Did the Security Police deliberately break him? Six former detainees noticed a deterioration during his last weeks. Three said Aggett told them he had been assaulted.

Auret van Heerden said Aggett "looked like a zombie" after interrogation. He seemed suicidal and said "he had been kept awake and given electric shocks during (a 62-hour) interrogation".

Police insist they had a friendly, relaxed relationship with him and he showed no signs of a health collapse.

But the family's case is that his captors failed in their duty of care — and drove Aggett to hang himself on February 5. And they have asked the magistrate to find two Security Policemen, Maj Cronwright and Lt Whitehead responsible.

This is South Africa's first inquest into the possibility of an "induced suicide", which can amount to the crime of culpable homicide. And the first time a dead man's family are hoping for a finding that someone was responsible, because they induced suicide.

Mourners alongside the hearse at Neil Aggett's funeral.

They argue that a variety of pressures — illegal and legal — resulted in a state of debilitation which Security Police should have guarded against or been aware of. They paid no attention to his decline.

The Security Police deny they ill-treated Aggett: they say there were no symptoms — and they didn't see any symptoms. And they categorically deny that he was a broken man after the weekend of January 28-30. He could — a police witness, Professor Jan Plomp, suggested — have deliberately taken his life as a political gesture.

So far, detainees have painted a nightmare picture of fear and disorientation. For them, detention is a harrowing experience — one that people outside cannot imagine.

A wide range of young people, Christians, socialists, trade unionists, intellectuals who were seized at the same time as Aggett make the following claims:

- An intimidating atmosphere is created.
- Threats are made — ranging from murder to mutilation.
- Prisoners are subject to humiliation — such as attacks on their genitals and personal abuse.
- They are also maltreated — given electric shocks.
- They are exhausted by forced exercise.
- The police often try to disguise marks of torture.
- A persistent allegation is that prisoners are wholly unprotected against torture, and fear reprisals if they talk. The safeguards do not function behind police cells.

Rebutting them, the Security Police say:

- Prisoners are won over by friendship.
- Prisoners are taken for outings to build up a rapport with interrogators.
- Conversations with prisoners deal with topics of mutual interest.

Police require statements — so a prisoner is only released once his statement is "satisfactory".

Almost accidentally, the inquest has shed light on an important feature of South Africa — the way the Government fights (or feels obliged to fight) subversion and the Total Onslaught.

Detectives are highly-motivated and personally involved. They examine every feature of suspects' lives.

Aggett's chief interrogator — Lt Whitehead — began tracking Aggett three years ago. He monitored him meticulously. He looked deeply into Aggett's life.

Dr Floyd claimed in court that Lt Whitehead's suspicions were directed against her and Dr Aggett because of their lifestyle — they were doctors who chose not to live as doctors.

And Whitehead admits that he interested himself — "regrettably" — in the private life of Aggett and Dr Floyd.

The Aggett family lawyers mai tain Aggett was viewed, mistakenl as a criminal subversive, but ha nothing to reveal. Yet he was pushe beyond endurance by officers wh were convinced he was guilty.

And the Security Police — wh were present in force during th hearing — claim that a concerte effort is being made to slur them.

Whatever today's finding, Dr A gett's death has caused the interr gator's searchlight to be focused o the interrogators themselves never before in a South Africa court.

Dead men tell no tales and cann — as Mr Schabort SC remarked — b cross-examined. But their ghosts ca still cause their captors to be rigo ously examined.

Not since the Biko inquest of 197 has one seen such an intense interr gation of the interrogators. Only th time there were twice as many S curity Policemen in the witness box

Dr Neil Aggett's father, Mr Aubrey Aggett (left), his mother Mrs Joy Aggett and instructing attorney Mr David Dyson face a barrage of local and foreign reporters outside the inquest court today. ● Picture by Alf Kumalo.

Dr Liz Floyd, Neil Aggett's girlfriend, outside the court today.

Star 20/12/82

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# Court crowded as magistrate starts Aggett summary

**By Michael Tissong, Alex Ball and Andrew Walker**

The Johannesburg magistrate presiding over the inquest into Dr Neil Aggett's death, Mr P A J Kotze, today began summarising 3 254 pages of evidence by 52 people.

Mr Kotze's summary and verdict are expected to last two to three days.

He said Dr Neil Hudson Aggett had died on February 5 in his cell at John Vorster Square while he had been in the custody of the South African Police.

Mr Kotze said Sergeant James Agenbag, whose duty it was to check on prisoners every hour in their cells had visited Dr Aggett's cell about 1.30 am.

He had seen Dr Aggett hanging against the grille door of his cell.

He had felt in vain for a pulse. There had been no breathing. In his opinion Dr Aggett was dead.

On two earlier visits that evening he said Dr Aggett had indicated to him that everything was in order.

Mr Kotze said Dr Aggett had been detained at Crown Mines by Captain Jacob Strauss on November 26 last year.

Captain Strauss said he had asked Dr Aggett about his involvement with the African National Congress and the South African Congress of Trade Unions but Dr Aggett had refused to answer any questions.

Captain Strauss had told the court he had arrested Dr Aggett for promoting the objectives of the ANC.

Dr Aggett's girlfriend, Dr Liz Floyd, had testified she was ordered to stand after arguing with Warrant-Officer Des Carr.

On two occasions on the 10th floor of John Vorster Square she had heard people screaming.

Mr Keith Coleman had testified that Dr Aggett had told him the Security Police were pressuring him and had withdrawn his privileges.

Dr Aggett had said that during an interrogation session his shirt had been torn.

He had been keeping the shirt and had planned to lay a charge when released.

Mr Premananthan Naidoo had said he had been assaulted and forced to exercise by Security Policemen at John Vorster Square and at the Vereeniging police station.

He had been kept without sleep for three nights.

On the fourth day he had found himself talking into a tape recorder without realising what he was doing.

When Mr Kotze started his summary the public gallery was crammed with about 100 spectators. Some people were unable to get into the court. About 15 annoyed spectators were locked out.

About 10 policemen were on duty.

Spectators were screened by a metal detector.

Dr Floyd said today: "Thank God it is nearly all over."

Dr Floyd told The Star: "I never dreamt the inquest would last so long. It has all been like a year of detention for me."

With tension written on their faces Dr Aggett's parents, Mr and Mrs Aubrey Aggett, arrived about 10 minutes before the start of proceedings.

"It has been a very trying time," said Mr Aggett.

Another key figure in court today was Major Arthur Cronwright who, along with Lieutenant Steven Whitehead, was accused during the inquest by Mr George Bizos, SC (appearing for the family) of having caused Dr Aggett to hang himself.

# Magistrate sums up in Aggett inquest

CAPE TIMES 21/12/82 329

JOHANNESBURG. — Newsmen from around the world were in the Regional Court here where magistrate Mr P Kotze began delivering his findings on the death of trade unionist, Dr Neil Aggett, yesterday.

The final verdict is not expected until later today or tomorrow.

Dr Aggett, 28, was found hanged in his cell in John Vorster Square on February 5 this year. He was detained by security police on November 27 last year.

German, American and British television crews jammed the corridor as Dr Aggett's parents, Mr and Mrs Aubrey Aggett, his girlfriend, Dr Liz Floyd, and their lawyers entered the court.

## Security police

The benches were packed with representatives from local and overseas newspapers, news agencies and radio stations.

Several security policemen were also present. They included Major A Cronwright and Lieutenant Stephan Whitehead, the two men alleged to be criminally responsible for the unionist's death.

Mr Jan Theron, the secretary-general of the Food and Canning Workers' Union where Dr Aggett was employed as Transvaal secretary at the time of his detention, flew from Cape Town to hear the verdict.

Others in the court were Mrs Helen Suzman, the Progressive Federal Party spokesman on human rights and Miss Kate Philip, the president of the National Union of South African Students.

Fifty-two witnesses, mainly security policemen, former detainees and medical experts, gave evidence and 21 affidavits were handed to the court.

Mr Kotze dwelt for some time on the evidence of district surgeon, Dr Vernon Kemp, and two other pathologists who conducted the post-mortem examination.

They found that he had died by hanging. It was unlikely that a cloth had been tied around his neck after his death in order to make it appear that he had hung himself.

Mr Kotze also read out the controversial statement made by Dr Aggett 14 hours before his death alleging he had been assaulted.

## Former detainees

The evidence of former detainees, including Mr Auret van Heerden, Mr Premananthan Naidoo and Mr Sharish Nanabhai that they had been assaulted, humiliated, given electric shocks and deprived of sleep, was recalled.

Security policemen involved in the interrogation of detainees, however — including Lieutenant Whitehead, the man who decided to intensify Dr Aggett's questioning shortly before his death — denied that they had assaulted and ill-treated detainees.

# Not surprised Aggett's girlfriend

ARGUS 21/12/82

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**Argus Correspondent**

JOHANNESBURG. — A hush fell on Magistrate's Court No 18 here today as Mr Petrus Kotze gave his verdict in the Aggett inquest.

The crowd of more than 100 who crammed into the small courtroom on the 44th day of the inquest filed out silently afterwards.

Trade unionist Dr Aggett, 28, was found hanging in his cell at John Vorster Square on February 5 after having been in detention since November 26 1981 — 71 days.

### Suzman

Present in the court were Dr Aggett's parents, Mr and Mrs Aubrey Aggett, Dr Aggett's girlfriend, Dr Elizabeth Floyd, Mrs Helen Suzman, MP, and security policeman Major Arthur Cronwright.

The Aggetts, who live in Somerset West, sat through most of the inquest — the longest and costliest in South African history.

As they left the building with Mrs Aggett walking slowly with the help of a walking-stick, they were besieged by more than 30 international and local members of the Press. They are holding a Press conference later.

### "Terrible"

Looking composed, Dr Floyd, who said she has had "a terrible year" since Dr Aggett's death, said she was not surprised at the result of the inquest.

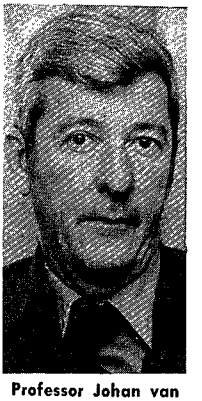
"It is very much what I expected. I am not at all surprised."

But she thought it may have served to "bring to people's attention such things as detentions and solitary confinement".

Mr and Mrs Aubrey Aggett

Dr Liz Floyd

# Professor hits at system



Professor Johan van der Vyver

**Argus Correspondent**

JOHANNESBURG. — Professor Johan van der Vyver, national president of Lawyers for Human Rights, said of today's inquest finding on Dr Neil Aggett: "It is quite clear his death was brought about by the system of detention without trial"

The University of the Witwatersrand law professor said detention for the purpose of interrogation had all the makings of an inquisition, and this should have ended with the Middle Ages.

Mr Taffy Adler, spokesman for the Federation of South African Trade Unions (Fosatu), said the verdict "will give no solace to those unfortunate enough to be taken into police custody."

# 'Police not to blame' — court

(Contd from Page 1)

the evidence of two pathologists, Professor N J Schepers and Dr J B C Botha, and a Johannesburg district surgeon, Dr Vernon Kemp, was mutually corroborative and had been given in a satisfactory and reliable manner.

He also accepted the evidence of the cell staff at John Vorster Square who discovered Dr Aggett hanging from his cell door in the early hours of February 5.

The important question to be decided was what had happened to Dr Aggett between his arrival at John Vorster Square and the day of his death, he said.

There were two contrary versions of what had taken place. On the one hand former detainees had given evidence of ill-treatment and assaults at the hands of the police and on the other there was evidence to the contrary from security policemen.

Mr Kotze dealt first with the evidence of former detainees.

**CAUTION**

Mr Kotze said the evidence of the two policemen primarily involved with the conditions of Dr Aggett's detention at John Vorster Square, Major Arthur Crownwright and Lieutenant Stephen Whitehead, was "treated with caution".

He accepted the evidence of most of the security policemen who gave evidence. He said they corroborated one another. He said the evidence of the head of the Witwatersrand Security Police, Brigadier Hennie Muller, was honest and reliable.

Mr Kotze said Major Cronwright and Lieutenant Whitehead were subjected to a long and merciless cross-examination by counsel for the Aggett family, Mr George Bizos SC.

He said Major Cronwright was the officer in charge of the interrogation. Lieutenant Whitehead was "suspected of assaults and ill-treatment of Dr Aggett. Much of his cross-examination was accusative rather than inquisitive".

"Warrant Officer Walter Macpherson, who guarded the cells where the detainees were kept, was criticised with some justification by Mr Bizos. His explanation of why he told the inspector of detainees, Mr Abraham Mouton, that Dr Aggett was not available, was not satisfactory."

Referring to the former detainees who gave evidence, Mr Kotze said Dr Elizabeth Floyd had "a close relationship with Dr Aggett, this was coupled with a degree of antagonism towards the security police. There could be bias in her evidence".

"Keith Coleman had something to say about a torn shirt belonging to Dr Aggett. He was uncertain about details when he was cross-examined.

"Premanathan Naidoo and Shirish Nanabhai are presently serving sentences for harbouring an escaped political prisoner. They have strong feelings against the security police and a possibility of bias cannot be excluded.

**COMPLAIN**

"In court they spoke about ill-treatment in detention, but while in custody they did not complain to an inspector of detainees about their treatment when he visited them.

"Thabo Lerumo rubbed his chin and had his mouth slung open when he gave evidence. He was adamant he saw Dr Aggett on a certain date. He was obviously wrong.

"On occasion, Sisa Njikelana did not reply to some of the questions. In court he alleged assault, but he did not complain to an inspector of detainees. It is difficult to understand why he told an inspector that the security police had treated him well.

"Jabu Ngwenya was deliberately vague when questioned about details. He was selective in what to remember and what to forget. He did not impress as a reliable witness.

**CONTROL**

"Judging from the manner in which Auret van Heerden gave his replies to questions, he had control over himself.

"Maurice Smithers gave his evidence in a satisfactory manner, but there are a number of features we cannot ignore. He refused to swear in court, but took an oath in his affidavit."

Mr Smithers gave evidence that he saw Dr Aggett being assaulted and being forced to do exercises, through the frosted glass petition of an adjacent office. Mr Kotze said "some things of his observations were stated as statements of fact".

"For example, he said he saw Dr Aggett being hit with a rolled up newspaper when describing the assault. In cross-examination, he said he surmised it was a newspaper because it was white and cylinderical.

**POSITIVE**

"If Smithers was not sure what it was, why did he make a positive statement and say it was a newspaper? He also said Dr Aggett was sweating profusely. He said he thought so because Dr Aggett was wiping his forehead.

"He also said Dr Aggett was doing push-ups but could not confirm definitely that he was. He said Dr Aggett fell over a chair but later said he stumbled over a piece of furniture and was not sure what the furniture was."

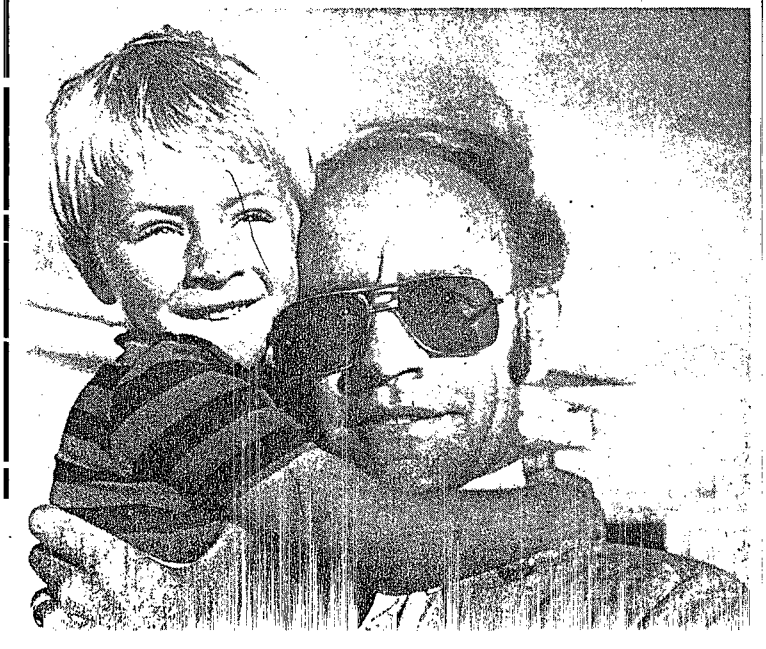
A group of 10 policemen using metal detectors screened people entering the court gallery.

Among those present were Dr Aggett's parents, Mr and Mrs Aubrey Aggett, his girlfriend, Dr Floyd, Mrs Helen Suzman, MP for Houghton, security policemen and members of the Press.

# ggett verdict

ARGUS 21/12/82 329

## NOT TO BLAME, SAYS INQUEST MAGISTRATE



**Argus Correspondent**

JOHANNESBURG. — Dr Neil Aggett's death was not brought about by any act or omission on the part of the police, the Johannesburg magistrate presiding over his inquest found today.

Mr P A J Kotze said he and his assessor, Professor L S Smith, had concurred that Dr Aggett died at John Vorster Square by suicidal hanging.

Mr Kotze said that the finding was a matter of law and was his own decision.

Turning to evidence that Dr Aggett's condition had deteriorated during his last week alive, Mr Kotze said: "I cannot find that the police officers were aware of changes in Dr Aggett.

"I have come to the conclusion that Dr Aggett was a man devoted to a cause. During his period of detention, he disclosed particulars of his activities and that of some of his associates.

### Betrayal

"This brought about feelings of insecurity in his future because of a

Mr P A J Kotze

Dr Neil Aggett

# Aggett verd

ARGUS 21/12/82 329

## POLICE NOT TO BLAME, SAYS INQUEST MAG

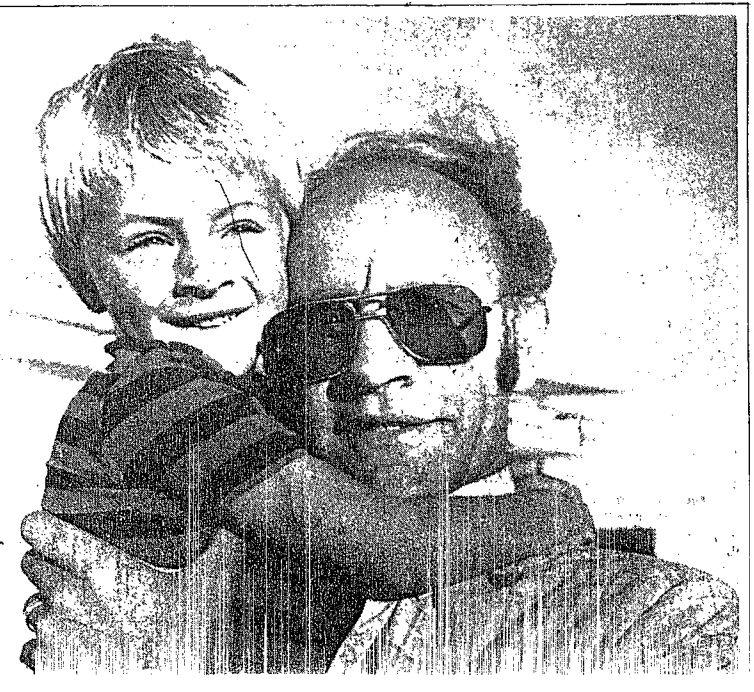
## Attack on child — father shoots at baboon

Staff Reporter

A LEADING Cape conservationist has warned holiday makers of the dangers of baboons after an irate father, whose three-year-old child was attacked by a baboon at Chapman's Peak at the weekend, fired shots at the animal.

The child was not seriously hurt and the shots missed the baboon.

His father, Mr Tienie van Staden of Brakpan, said: "I am a fairly nature conservation-minded person. I like animals, but I was so shaking mad I



Argus Corres

JOHANNESBURG. — Dr Neil Agget by any act or omission on the part magistrate presiding over his inquest

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Mr Kotze said that the finding was a matter of law and was his own decision.

Turning to evidence that Dr Aggett's condition had deteriorated during his last week alive, Mr Kotze said: "I cannot find that the police officers were aware of changes in Dr Aggett.

"I have come to the conclusion that Dr Aggett was a man devoted to a cause. During his period of detention, he disclosed particulars of his activities and that of some of his associates.

### Betrayal

"This brought about feelings of insecurity in his future because of a sense of betrayal."

Mr Kotze rejected evi-

Mr P A J Kotze

## Mother

# Stop harassing MPCs — Van der Velde

ARGUS 21/12/82

**Provincial Reporter**

MEMBERS of the Provincial Council must be free to visit any part of the Cape without harassment, Mr Frank van der Velde, MPC for Wynberg and chief Opposition whip in the council, said today.

He was reacting to charges laid on Thursday against 31 whites, including Mrs Molly Blackburn, MPC for Walmer, and Mrs Di Bishop, MPC for Gardens, for allegedly entering Port Elizabeth's black township of New Brighton to attend a church service.

The service was organised by the Detainees' Parents Support Committee. It was addressed by Mrs Helen Joseph.

Police with semi-automatic weapons and dogs stopped whites as they left the service.

## Intimidation

Mrs Bishop described it as "a ridiculous show of force" to harass the 31 whites in the country of their birth.

Mr van der Velde said in a statement today: "I find it shocking and disgraceful that in a country where the Government purports to be Christian, people are charged for attending a church service.

"As Opposition whip, I call on the Administrator, Mr Gene Louw, to see that the charges against two of his MPCs are dropped immediately.

Mr Louw is on holiday and was not available for comment.

## Others charged

Among others charged following the New Brighton service were Mrs Bishop's husband, Mr Brian Bishop, who is chairman of the Civil Rights League; the Rev George Irvine of St John's Methodist Church in central Port Elizabeth; five journalists; members of the Black Sash and a number of Rhodes University students.

Following the incident, Mrs Blackburn said that Mr Louis Koch, chief director of the Eastern Cape Administration Board, had told her she could attend church services in the township.

Sapa reports Mr Koch as saying that his department had stopped issuing permits for people attending bona fide church services at the invitation of the church or congregation members.

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Court rejects detainees' evidence

# Aggett: No police abuse court rules

(329)

Star 21/12/82

By Michael Tissong and Alex Ball

**Security police were not responsible for the suicide of Dr Neil Aggett, the first white to die in detention under the country's broad security laws, magistrate Pieter Kotze ruled today.**

Mr Kotze, whose decision was immediately attacked as giving the police virtual immunity from prosecution, also rejected the claims of widespread torture of political detainees made by former detainees and lawyers for Dr Aggett's family.

"I cannot find beyond a reasonable doubt, or the preponderance of probabilities . . . any unlawful or negligent action constituted the cause for Dr Aggett's death."

Mr Kotze made his finding at the end of a 44-day inquest into the death of Dr Aggett at John Vorster Square on February 5 this year. He and his assessor, Professor L S Smith, had concurred that Dr Aggett had died by suicidal hanging.

The police officers responsible for Dr Aggett's well-being could not have foreseen that he would take his own life, Mr Kotze added.

Moral responsibility for the suicide could possibly be laid on Dr Aggett's fellow detainee and friend, Mr Auret van Heerden, but such responsibility was not valid in law.

Mr van Heerden had said he realised Dr Aggett was suicidal on February 4, but had raised no alarm.

## Devoted

Mr Kotze said he could not find that Dr Aggett had been deprived of sleep or that he had been assaulted by the police "in any unlawful manner."

"I have come to the conclusion that Dr Aggett was a man devoted to a cause. During his period of detention he disclosed particulars of his activities and that of some of his associates.

"This brought about feelings of insecurity in his future because of a sense of betrayal."

The counsel for the police, Mr P J Schabort, had argued that Dr Aggett took his own life in the early hours of February 5 because he had betrayed his friends in disclosures he allegedly had made to the Security Police.

Mr Kotze rejected evidence by former detainees that Dr Aggett had been assaulted and that his condition had deteriorated during his last week alive.

He said their observations of Dr Aggett were "so contradictory in detail and so contradicted by reliable evidence that they could not be accepted as the truth on a balance of probabilities."

There were many discrepancies in the detainees' evidence, Mr Kotze said.

"One gets the impression that some detainees heard something about assaults, and wanted to say something about them but did not know the proper context."

No modus operandi of assault and ill-treatment of detainees by security policemen at John Vorster Square could be proved.

Mr Morris Smithers

To Page 3, Col 4

# Aggett death: no abuse by police

From page 1

had said he saw Dr Aggett being assaulted and forced to exercise in a tenth floor office.

Mr Kotze said: "I cannot find beyond a reasonable doubt that Dr Aggett was treated in the manner described."

Mr Kotze said the evidence of two pathologists, Professor N J Schepers and Dr J B C Botha, and a Johannesburg district surgeon, Dr Vernon Kemp, was corroborative and had been given in a satisfactory and reliable manner.

He also accepted the evidence of the cell staff at John Vorster Square who discovered Dr Aggett hanging from his cell door.

On the detainees he said: "Keith Coleman had something to say about a torn shirt belonging to Dr Aggett. He was uncertain about details when he was cross-examined.

**BIAS**

"Premanathan Naidoo and Shirish Nanabhai are presently serving sentences for harbouring an escaped political prisoner. They have strong feelings against the Security Police and a possibility of bias cannot be excluded.

"In court they spoke about ill-treatment in detention, but while in custody they did not complain to an inspector of detainees about their treatment when he visited them.

"Thabo Lerumo rubbed his chin and had his mouth hung open when he gave evidence. He was adamant he saw Dr Aggett on a certain date. He was obviously wrong.

"On occasion, Sisa Njikelana did not reply to some of the questions. In court he alleged assault, but he did not complain to an inspector of detainees. It is difficult to understand why he told an inspector that the Security Police had treated him well.

"Jabu Ngwenya was deliberately vague when questioned about details. He was selective in what to remember and what to forget. He did not impress as a reliable witness.

Mr Aubrey Aggett (left) leaving the Johannesburg Magistrate's court today with instructing attorney for the Aggett family, Mr William Lane and Mrs Joy Aggett.

# Anger mounts over finding by magistrate

Professor Johan van der Vyfer, national president of Lawyers for Human Rights, today lashed out at the finding of the inquest into the death in detention of trade unionist Dr Neil Aggett.

"It is quite clear that his death was brought about by the system of detention without trial," the University of the Witwatersrand law professor said.

Professor van der Vyfer argued that if the aim of detention for interrogation were to elicit information from a person, and that person had such information, police had at their disposal "methods to make him speak within 48 hours."

"The ones that are driven to insanity or suicide or who have to be subjected to physical or mental torture are most probably the innocent ones," he said.

Mr Taffy Adler, spokesman for the Federation of South African Trade Unions (Fosatu), said his union was shocked by the verdict.

"The verdict will give no solace to those unfortunate enough to be taken into police custody.

"We fear that until the present system of detention without trial is abolished no inquiry or inquest after the fact will satisfy us that detention without trial and the conditions around it are just."

Major Arthur Cronwright (left), one of the security policemen who gave evidence at the inquest, and Brigadier Hennie Muller, who was head of the security police on the Witwatersrand at the time of Dr Aggett's death.

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**...date liable to disqualification and to possible exclusion from the University**

# World's focus on Aggett inquest finding

21/12/82 (329) RDM

By LIZ McGREGOR

THE eyes of the world were on the small, stuffy courtroom yesterday where Mr Pieter Kotze began delivering his findings on the death of trade unionist, Dr Neil Aggett.

Mr Kotze took 4½ hours to give a lengthy summary of evidence given by witnesses during the inquest, held in the Johannesburg Regional Court.

The final verdict is not expected till later today or tomorrow.

Dr Aggett, 28, was found hanged in his cell at John Vorster Square on February 5. He was detained by Security Police on November 27 last year.

Overseas television crews jammed the narrow court corridor as Dr Aggett's parents, Mr and Mrs Aubrey Aggett, his girlfriend, Dr Liz Floyd, and their lawyers entered the court.

The court Press benches were packed with representatives of the local and overseas media.

Security policemen were also present. They included Major Arthur Cronwright and Lieutenant Steven Whitehead, the two men the Aggett family lawyers allege are responsible for the unionist's death.

Spectators were searched with a metal detector as they entered the court and uniformed policemen lined the corridor outside the court.

Others who attended were Mrs Helen Suzman, Progressive Federal Party MP, Ms Kate Philip, president of the National Union of South African Students, and Mr Auret van Heerden, a former detainee held with Dr Aggett.

Reading from the lengthy judgment, Mr Kotze traced the evidence on Dr Aggett's detention, interrogation and arrest.

Fifty-two witnesses — mainly members of the Security Police, former detainees and medical experts — gave evidence and 21 affidavits were handed in.

Mr Kotze dwelt for some time on the evidence of district surgeon, Dr Vernon Kemp, and two other pathologists who conducted the post mortem on Dr Aggett.

They found that he had died by hanging. It was unlikely that a cloth had been tied round his neck after his death in order to make it appear that he had hanged himself.

Mr Kotze also read out the controversial statement made by Dr Aggett 14 hours before his death alleging he had been assaulted.

Security policeman involved in the interrogation of detainees, however — including Lt Whitehead, the man who decided to intensify Dr Aggett's questioning shortly before his death — denied that they had assaulted and ill-treated detainees.

The Argus
Today's News Today 22/12/82
126TH YEAR: FOUNDED 1857

# Death of Dr Aggett

THE magistrate who conducted the Aggett inquest has found that nobody was to blame for the death in detention of the young trade union leader. But there could hardly have been a harsher condemnation of the whole system of detention without trial than these protracted judicial proceedings.

There was even a "trial within a trial", when the State attempted to prevent the admission as evidence of a sworn statement Dr Aggett made just hours before his death that he had been assaulted and left bleeding, and that he had been tortured by being given electric shocks.

Among the grounds given for the State's action when the matter was taken to the Supreme Court were that the disclosures would not be in the national interest or in the interest of State security, and that they would also make public the working methods and techniques of the security police.

The Supreme Court ruled that it could cause "incalculable harm" for the statement not to be admitted, and the inquest continued.

Then there was revealing evidence by police officers about their methods of interrogation, including the statement by a brigadier that the police were in no hurry to complete the interrogation of Dr Aggett, and that "he could have stayed there (in detention) for a year" without being brought to trial.

And the evidence by former detainees which the magistrate finally found contained many discrepancies and which he decided "cannot be accepted as the truth on a balance of probabilities".

But the fact remains that a young man, accepted as intelligent, known to be well-educated and an acknowledged idealist was taken into police custody apparently in normal health, mentally and physically, and in reasonably good spirits — and that this same young man was dead, found hanged in a cell, 71 days later. And there is still no indication he was guilty of any crime whatsoever.

The magistrate has ruled nobody can be found responsible. But it is still appalling that it should have happened.

Once more, too, it has been made clear that the existing safeguards are not sufficient, that the present checks on the health and wellbeing of detainees are simply not good enough.

There would be widespread relief if the whole system were scrapped and all prisoners given proper, democratic access to lawyers and the courts.

Until that is achieved, the least that should be done is that the doctors who are in a position to watch the health of detainees and the inspectors who are assigned to inquire about any complaints about their treatment should be obliged to record their findings week by week, and that these should be available for the public record, say through the Government Gazette.

And, of course, because of the secrecy of the system surrounding the Aggett case, and others, suspicions will remain about the actions of the police — and detainees. It is potentially damaging to all parties.

# Aggett finding condemned

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Argus Correspondent

JOHANNESBURG. — Shock and condemnation were the reactions from trade unions and other groups at yesterday's judicial inquest finding in Johannesburg that no one was to blame for the death in detention of Dr Neil Aggett in February this year.

Magistrate Mr P A J Kotze ruled that Dr Aggett's death was not brought about by any act or omission on the part of the police.

He said the trade unionist, who was found hanged in his cell at John Vorster Square at 1.30 on the morning of February 5, had died by suicidal hanging.

## Devoted

"I have come to the conclusion that Dr Aggett was a man devoted to a cause. During his period of detention, he disclosed particulars of his activities and that of some of his associates.

"This brought about feelings of insecurity in his future because of a sense of betrayal."

Mr Jan Theron, the national secretary of the Food and Canning Workers Union of which Dr Aggett was Transvaal regional secretary, was highly critical of the inquest finding and said it was selective in its judgment.

A spokesman for the Federation of South African Trade Unions, Mr Taffy Adler, said the federation was shocked at the judgment.

## No solace

"The verdict will give no solace to those unfortunate enough to have been taken into police custody and we fear that until the present system of detention without trial is abolished, no inquiry or inquest after the fact will satisfy us that detention without trial and the conditions arising out of detention without trial are just," the Fosatu statement said.

The head of the General Workers Union, Mr Dave Lewis, said that the judgment had criticised allegations of security police brutality from other detainees and thereby sanctioned police conduct over detainees in the future.

"As far as thousands of workers are concerned, Neil Aggett was detained and died as a result of his trade union activities. The surprising verdict arrived at in the inquest will not alter this conviction," Mr Lewis said.

## "Violation"

The general secretary of the Council of Unions of South Africa, Mr Phiroshaw Camay, said in the broader South African context the verdict was not a surprise.

"We believe that detentions and bannings remain a violation of fundamental human rights. Whenever we can, we will continue protesting to seek the total eradication of the laws which allow for these injustices."

A spokesman for the Detainees Parents Support Committee said the verdict still made the DPSC fear for the fate of other detainees and added that the full story of Dr Aggett's death had yet to be uncovered.

CAPE Times 22/12/82 (329)

# Aggett: Shock at finding

**Own Correspondent**

JOHANNESBURG. — The family of Dr Neil Aggett, trade unionists, lawyers and civil rights groups yesterday criticized the finding by a Johannesburg magistrate that nobody was responsible for Dr Aggett's death.

Reaction ranged from "total outrage", expressed by Mr Jan Theron, national secretary of the Food and Canning Workers' Union (for which Dr Aggett worked) to deep disappointment voiced by Dr Aggett's father, Mr Aubrey Aggett.

Other leaders have also totally rejected the findings but police spokesmen last night refused to comment and government officials were not available.

The magistrate:

- Found that Dr Aggett was not deprived of sleep or ill-treated "in any unlawful manner";
- Found that the police were not aware of any deterioration in Dr Aggett's condition and that he was a suicide risk.
- Rejected evidence by former detainees that Dr Aggett had been assaulted;
- Found that that Major

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news and views on movies

CAPE Times 22/12/82

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(329)

Arthur Cronwright and Lieutenant Stephan Whitehead — who, counsel for the family had argued, caused Dr Aggett's death — were not responsible for the suicide.

- Found that Dr Aggett's suicidal state could have been caused by guilt at having disclosed details of his activities and the names of associates.

Mrs Aggett left the courtroom in tears.

Soon after the verdict was announced, Dr Liz Floyd, Dr Aggett's girlfriend and fellow detainee, the Food and Canning Workers' Union and the Detainees' Parents Support Committee held an emotion-charged press conference in the Johannesburg offices of the FCWU.

Dr Floyd told the large group of local and overseas journalists that despite the official verdict, some people would believe the security police version of Dr Aggett's death while others would believe that of the former detainees who gave evidence.

The General Workers' Union, which has close links with the late Dr Aggett's union, said the findings were "surprising".

It added that they would not alter the belief of "thousands of workers" that Dr Aggett "was detained and died as a result of his trade union activity".

The country's biggest emerging union group, the Federation of SA Trade Unions, said it was "shocked" by the finding.

Professor Johan van der Vyver, president of Lawyers for Human Rights, told an afternoon newspaper that, despite the finding, "it is quite clear that Dr Aggett's death was brought about by the system of detention without trial".

Dr Nthato Motlana, chairman of the Soweto Committee of Ten and Bishop Desmond Tutu, general-secretary of the South African Council of Churches, expressed shock at the finding.

Bishop Tutu said the verdict was "quite shattering".

● **Aggett's death: No one blamed, page 11**

# Aggett's death: No one blamed

CAPE Times 22/12/82 (329)

JOHANNESBURG. — Seven months of anticipation ended for family and friends of Dr Neil Aggett yesterday when a Johannesburg inquest court found that nobody was responsible for his death in detention.

The inquest magistrate, Mr P A J Kotze, found that Dr Aggett had committed suicide, hanging himself from the barred door of his cell in John Vorster Square on the morning of February 5 this year.

However, the police officers responsible for Dr Aggett's well-being could not have foreseen the trade unionist would take his own life, Mr Kotze said.

"I cannot find beyond any reasonable doubt that any unlawful or negligent acts caused Dr Aggett to take his life," the magistrate ruled.

Moral responsibility for the suicide could possibly be attributed to Dr Aggett's fellow detainee and friend, Mr Auret van Heerden, but such responsibility was not valid in law.

## Night before

Mr Van Heerden, who claimed to have noticed Dr Aggett was suicidal the night before his death, had failed to fulfil his moral duty of telling the police of his suspicions, Mr Kotze said.

Mr Kotze said in his finding that Dr Aggett could have been driven to suicide by various factors. He was accustomed to hard work, which had been disrupted by his detention.

The trade unionist had felt he had betrayed his associates by giving police their names and particulars of activities carried out by them. He had also felt a sense of uncertainty and a fear that his colleagues would reject him on his release, Mr Kotze said.

Psychiatric evidence had shown that such pressures, even in people as strong-willed as Dr Aggett, could produce suicidal tendencies, he said.

He was satisfied that evidence of assaults and ill-treatment of Dr Aggett was unreliable.

## 'Immaturity'

The allegation by counsel representing the Aggett family that the interrogating officer, Lieutenant Steven Whitehead, was an "immature, vicious person" had not been justified, Mr Kotze said.

Dr Neil Aggett

He could not find beyond reasonable doubt that Dr Aggett had been treated in the manner described by a fellow detainee, Mr Maurice Smithers. Evidence was that Mr Smithers had watched through a frosted-glass door in John Vorster Square as Dr Aggett was made to do exercises while a policeman hit him with a rolled-up newspaper or belt.

Concerning Dr Liz Floyd's evidence, Mr Kotze said he could not ignore the fact that she had had a very close relationship with Dr Aggett. She had also shown antagonism towards some members of the security police.

Mr Kotze dismissed allegations by Mr George Bizos, SC, representing the Aggett family, that more visits to Dr Aggett by a warder would have prevented his death, or that the trade unionist could have been strangled and then hanged in his cell.

## Cell 'not entered'

He was satisfied with evidence that the security police had not entered Dr Aggett's cell the night before his death.

Yesterday's finding ended seven months of proceedings in the Johannesburg Inquest Court, which heard evidence from 52 witnesses and sifted through 21 affidavits.

The court was packed to capacity during the last two days of the inquest. Spectators included a large contingent of local and foreign journalists and camera crews.

Security has been strict, with about 10 policemen standing watch at the courtroom door each day this week and handbags and briefcases being screened with metal detectors.

## Mrs Suzman

Present at yesterday's hearing were Dr Aggett's parents, Dr Floyd, numerous security policemen and the Progressive Federal Party MP for Houghton, Mrs Helen Suzman.

Dr Aggett was detained at 6.15am on November 21, 1981 for "promoting the objectives of the African National Congress", according to Mr Kotze's summary of evidence.

Dr Floyd was also arrested but was released later. — Sapa

D. Daily 22/12/82
(329) SIL 105

# Former students held in Ciskei

EAST LONDON — Two former Fort Hare University students have been detained under the Ciskei security laws, the Commander-in-Chief of State Security in Ciskei, Lieutenant-General Charles Sebe, confirmed yesterday.

He said Mr Cunningham Ncukana, of Middledrift, and Mr Sonwabo Archibald Sobukwe, of Graaff-Reinet, were arrested in the vicinity of Fort Hare University, Alice, last Friday night.

Both Mr Ncukana and Mr Sobukwe were among students expelled from the university following disturbances last July, General Sebe said.

Also still in detention in Ciskei are Mr Themba Sibeko, an employee of Shade, a Johannesburg based organisation and two members of the South African Allied Workers' Union, Mr Godfrey Shiba and Miss Veronica Ntozini.

Mr Shiba and Miss Ntozini were detained at a funeral in Mdantsane on October 10. Mr Sibeko was detained from his Alice home on November 12. — DDR

# Mrs Aggett says she's disappointed by verdict

(329) Star 22/12/82

By Moira Levy

Anger, bewilderment and "desperate disappointment" was the response of Mr and Mrs Aubrey Aggett to yesterday's finding that the death in detention of their son Dr Neil Aggett was not caused by the police.

The magistrate, Mr P A J Kotze, and his assessor, Professor L S Smith, found at the end of the mammoth 44-day inquest that Dr Aggett had died by suicidal hanging in his cell at John Vorster Square on February 5 after 71 days in detention.

"The magistrate's findings are beyond my understanding," Mr Aggett said shortly before returning to his Somerset West home.

**EX-DETAINEES**

He strongly criticised the inquest's decision to exclude certain papers allegedly dictated by Dr Aggett as privileged information.

"If this was a normal court case and not an inquest the Minister of Justice would be one of the accused, yet he was the one who decided these papers were privileged. No one has seen them, not even the magistrate," Mr Aggett said.

Mr Kotze rejected evidence by former detainees that Dr Aggett had been assaulted and that his condition in the week prior to his death had deteriorated.

He said evidence given by former detainees contained contradictions and discrepancies.

**DIARIES**

"The magistrate criticised our witnesses for being inconsistent and not knowing the exact hours and dates. Yet people in detention don't have diaries, calendars or even pencils to make notes of their observations. In fact, if you had to ask me the date right now I could not tell you," Mr Aggett said.

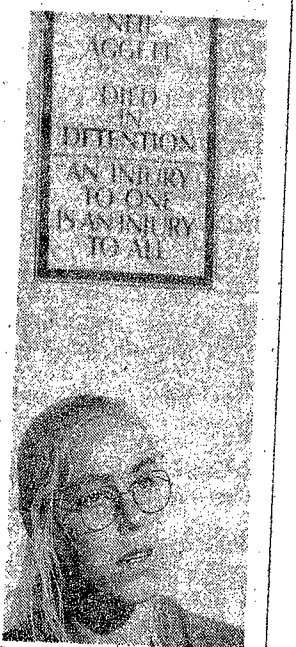
Mrs Joy Aggett said: "We are terribly disappointed. We weren't hoping for much, but we didn't expect this verdict.

"The police counsel asked for an open verdict but the magistrate went even further. He exonerated the police from any blame.

"I can only hope that the publicity about the case has done some good," she said.

Mr and Mrs Aggett, who attended most of the lengthy and costly hearing, will return home today.

● See Page 23.




Dr Liz Floyd, Neil Aggett's girlfriend, at a Press conference yesterday.

No-one to blame for his death

# Outrage at Neil Aggett finding

(329) RDM 22/12/82

By LIZ McGREGOR AND STEVEN FRIEDMAN

**THE family of Dr Neil Aggett, trade unionists, lawyers and civil rights groups reacted angrily yesterday to the finding by a Johannesburg magistrate that nobody was responsible for Dr Aggett's death in detention.**

Reactions ranged from the "total outrage" of Mr Jan Theron, national secretary of the Food and Canning Workers' Union, for which Dr Aggett worked, to the "deep disappointment" voiced by Dr Aggett's father, Mr Aubrey Aggett.

**Editorial Comment — Page 8**

Police spokesmen last night refused to comment and Government officials were not available.

Former detainee Mr Auret van Heerden dismissed as "absurd" a suggestion by the inquest magistrate, Mr P A Kotze, that he might be held morally responsible for Dr Aggett's death.

Mr Van Heerden gave evidence at the inquest about his contact with Dr Aggett prior to the trade unionist's death on February 5, while both were held at John Vorster Square.

The magistrate rejected evidence by other former detainees that Dr Aggett had been assaulted and also found that:

- Dr Aggett was not deprived of sleep or ill-treated "in any unlawful manner";
- Police were not aware of any deterioration in Dr Aggett's condition and was a suicide risk.
- Major Arthur Cronwright and Lieutenant Stephen Whitehead — said by counsel for the Aggett family to have caused Dr Aggett's death — were not responsible for the suicide;
- Dr Aggett's suicidal state could have been caused by guilt at having disclosed details of his activities and the names of associates.

Mr Aubrey Aggett described Mr Kotze's summing-up as "very selective".

"According to him, every single witness we produced was a liar while all the police witnesses told the Gospel truth," he said.

Dr Aggett's mother, Mrs Joy Aggett, left the Johannesburg Regional Court in tears.

Shortly after the verdict was announced, Dr Liz Floyd, Dr Aggett's girlfriend and fellow detainee, and officials of the Food and Canning Workers' Union and the Detainees' Parents' Support Committee, held an emotion-charged Press conference in the Johannesburg offices of the FCWU.

Dr Floyd told the crowd of local and overseas journalists that despite the official verdict, some people would believe the evidence of the former detainees at the inquest.

"I believe Neil was tortured and assaulted," she said. "He saw no relief from those conditions and expected the pressure to increase.

"He got to the stage where he was totally desperate and suicide was the only way out."

Condemning the inquest verdict, she commented: "If the Security Police treated him the way the magistrate accepted they did, why did he die and why have over 50 other people died in detention?"

Dr Aggett had not been involved in any underground activity, she said.

"The union for which he worked was democratic, its structures were under worker control."

Mr Theron told reporters he feared the findings could open the way for more Security Police action against unionists.

"What happened to Neil will happen to others," he said.

Mr Theron said the finding would "suit the Security Police down to the ground" and allow them to arrest unionists as they wished.

Mrs Helen Suzman, the Progressive Federal Party spokesman on human rights, said last night she was "absolutely astounded" at the finding.

She said the most surprising aspect of the judgment was the inference that Mr Van Heerden could be blamed for Dr Aggett's death.

"In any attempt to apportion blame, I would have thought that the 62-hour in-

□ To Page 2

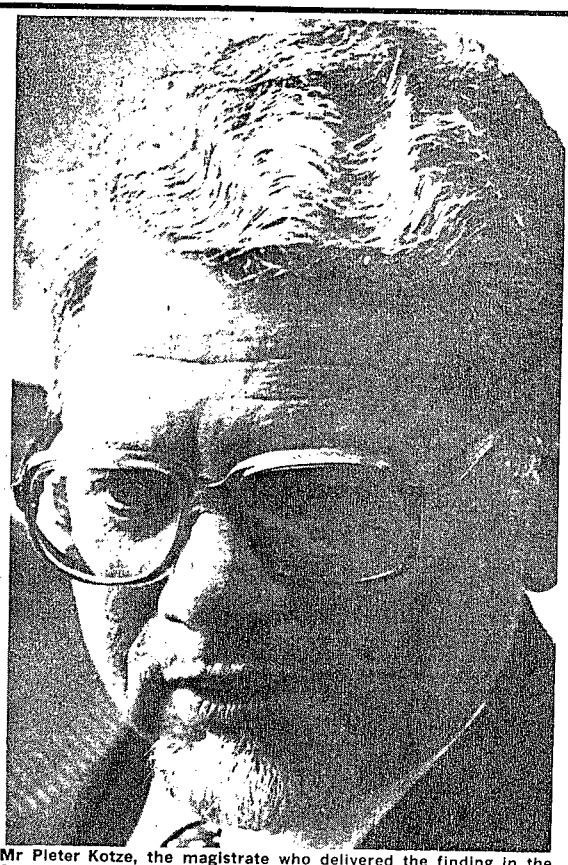
P. To C.

DR LIZ FLOYD
'suicide was only way out'

burg Regional Court after hearing the verdict in the inquest into the death
on.
Picture: JILL EDELSTEIN

Mr Aubrey Aggett and his wife Joy leave the Johar
of their son, Dr Neil Aggett, in Security Police det

nwright, the Security Police officer in charge of Dr Neill Aggett's the Court yesterday with Brigadier Hennie Muller, head of the curity Police at the time of the unionist's death.



Mr Pieter Kotze, the magistrate who delivered the finding in the Aggett inquest yesterday that nobody was responsible for Dr Aggett's death in detention.

Pictures: JILL EDELSTEIN

# Uproar at Aggett inquest verdict

NOOM 22/12/82 (329)

From Page 1

terrogation session to which he was subjected and other alleged ill-treatment would have made the police far more culpable than Mr Van Heerden," she said.

The General Workers' Union, which has close links with the late Dr Aggett's union, said the findings were "surprising".

It added they would not alter the belief of "thousands of workers" that Dr Aggett "was detained and died as a result of his trade union activity".

The Federation of SA Trade Unions, Fosatu, said it was "shocked" by the finding which, it said, came "in the wake of massive evidence of abuse of detainees".

"The verdict will give no solace to those unfortunate enough to be taken into police custody," it said, adding that, until detention without trial was scrapped, "no inquiry after the fact will satisfy us."

The black-led Council of Unions of SA said the verdict was "not surprising at all in the broader South African context" and said its position on detention without trial "remains unaltered".

"Detentions and bannings remain a violation of fundamental human rights. Wherever and whenever we can, we will seek to protest against these laws," it said.

The national president of the Black Sash, Mrs Sheena Duncan, said: "As in the Biko inquest, the public will continue to base their judgment on the evidence given at the inquest, rather than on the findings of the magistrate."

She said the Black Sash was "sorry that Dr Aggett's parents were unnecessarily subjected to months of anxiety and expense" by the inquest.

Professor Johan van der Vyver, president of Lawyers for Human Rights, told an afternoon newspaper that, despite the finding, "it is quite clear that Dr Aggett's death was brought about by the system of detention without trial".

He said police had methods at their disposal which enabled them to make a detainee speak "within 48 hours".

"The ones that are driven to insanity or suicide are most probably the innocent ones," he said.

MAURITZ MOOLMAN reports that both Dr Nthato Motlana, chairman of the Soweto Committee of Ten, and Bishop Desmond Tutu, general-secretary of the South African Council of Churches, expressed shock at the finding.

Dr Motlana said all fair-minded South Africans must feel aggrieved at the result.

"It painfully reminds one of the infamous Biko case where something similar has been said. It is inconceivable that nobody is being held responsible. I will join others all over the world who will reject the finding completely," Dr Motlana said.

Bishop Tutu said the verdict was "quite shattering" and "unbelievable".

"It is a worse shock than the Biko verdict because of the attempts at justifying his death. This makes it worse," he said.

# to discuss security in parks

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Federal

was a "delicate matter" and calls for a municipal police

planned very carefully and clear guidelines will have to

conducting an investigation into the situation and

# Husband keeps

# Northerns rugby star

(329)

# Aggett death: police n

By Alex Ball and Michael Tissong

After 44 days of the longest and costliest inquest in South African history, a Johannesburg magistrate ruled yesterday that trade unionist Dr Neil Aggett's death was not brought about by any act or omission on the part of the police.

The magistrate, Mr P A J Kotze, said Dr Aggett, who was found hanged in his cell at John Vorster Square at 1.30 am on February 5, had died by suicidal hanging.

"I have come to the conclusion that Dr Aggett was a man devoted to a cause. During his detention, he disclosed particulars of his activities and those of some of his associates," Mr Kotze said.

"This brought about feelings of insecurity in his future because of a sense of betrayal."

After the finding, the crowd of more than 70 filed silently out of the small and stuffy courtroom.

Dr Aggett's parents, Mr and Mrs Aubrey Aggett, who sat through most of the sittings which spanned eight months, walked slowly away. They were too exhausted to attend a Press conference held later yesterday afternoon.

The final two days of the inquest, which is estimated to have cost more than R300 000, was attended by about 30 local and international pressmen, including TV crews from the BBC, Visnews, ITN and a West German network.

Counsel for the police, Mr P Schabort, SC, had argued that Dr Aggett took his own life because he had betrayed his friends.

Mr George Bizos, SC, counsel for the Aggett family, had argued that Dr Aggett's suicide was induced by ill-treatment at the hands of the Security Police.

He alleged that two security policemen, Major Arthur Cronwright and Lieutenant Stephen Whitehead, were responsible and should be charged with culpable homicide.

Mr Bizos called 10 former detainees to testify about their observations of Dr Aggett and their conditions of detention at the hands of the policemen who also interrogated Dr Aggett.

Mr Kotze said Major Cronwright, the head of the interrogation personnel at the time of Dr Aggett's detention, had been subjected to a long and merciless cross-examination by Mr Bizos.

He said Major Cronwright's evidence was to be treated with caution.

Mr Kotze said Lieutenant Whitehead had also been thoroughly cross-examined. He said Lieutenant Whitehead was suspected of assaults and ill-treatment of Dr Aggett, but was able to give reasonable explanations of his actions.

"Much of the cross-examination of Lieutenant Whitehead was accusatory rather than inquisitive," he said.

"Warrant Officer Walter MacPherson was criticised with some justification by counsel for the Aggett family. Warrant Officer MacPherson's explanation of why an inspector of detainees could not see Dr Aggett was contradicted by the inspector Mr Abraham Mouton. His explanation was not satisfactory," Mr Kotze said.

He said there was no substance in the allegation that inspecting magistrates were de-

# Evidence withheld, says Floyd

22/12/82

By Andrew Walker

"Neil Aggett 1953-1982. Died in detention. An injury to one is an injury to all."

So read the poster on a grimy Johannesburg office wall.

Beneath it friends and colleagues of Dr Aggett yesterday told the Press and TV cameramen what they thought of an inquest which exonerated security policemen of involvement in Dr Aggett's death in detention.

Other concerned groups throughout the world have spoken on his death, with Dr Aggett's name being linked with that of Steve Biko.

But for Dr Liz Floyd, Dr Aggett's girlfriend and a former detainee, the Aggett case is not just another battle lost.

In public she speaks freely and strongly against a system under which her boyfriend was detained without trial and which, she strongly believes, made him hang himself behind the closed cell doors of John Vorster Square.

But a quiet word with Dr Floyd shows she would far rather have Dr Aggett back than the memory of a man whose death resulted in the longest inquest in South African history and which put the country's security laws back in the limelight.

"Yes, the inquest was a very trying time. I never dreamt it would take so long. It has been a terrible year. Thank God the inquest is finished."

But has it helped erase the pain?

"No, it has made it worse. It will take a very long time to get over Neil."

**Dr Liz Floyd addresses a Press conference after the inquest. With her is Mr Israel Mogoatlhe, chairman of the African Food and Canning Workers' Union, of which Dr Aggett was Transvaal regional secretary.**

Neil Aggett would never have taken his life had he not been driven to it, she said.

"I believe Neil was ill-treated and assaulted and I know he was not involved in any illegal organisation."

She said she had been shocked by evidence given at the inquest by Professor Jan Plomp, a psychiatrist.

"The magistrate's decision was based mostly on the evidence of Professor Plomp and four pages of names allegedly given by Neil to Warrant Officer Lawrence Deetlefs.

"Those four pages were not made known to the inquest proceedings. Privilege was claimed on the document but no evidence was led," she said.

"They will not get rid of the problem just because they have done away with Neil."

# ot to blame

liberately prevented from seeing detainees.

Mr Kotze accepted the evidence of more than 30 policemen as honest and reliable.

The evidence of former detainees was described by Mr Kotze as contradictory and full of discrepancies.

"One gets the impression that some detainees heard something about assaults and wanted to say something about them, but did not know the proper context.

"Keith Coleman had something to say about a torn shirt belonging to Dr Aggett. He was uncertain about details when he was cross-examined.

"Premanathan Naidoo and Shirish Nanabhai are serving sentences for harbouring an escaped political prisoner. They have strong feelings against the Security Police and a possibility of bias cannot be excluded.

"In court they spoke of ill-treatment in detention, but while in custody, they did not complain to an inspector of detainees about their treatment when he visited them.

"Thabo Lerumo rubbed his chin and had his mouth slung open when he gave evidence. He was adamant he saw Dr Aggett on a certain date. He was obviously wrong.

"On occasion, Sisa Njikelana did not reply to some of the questions. In court he alleged assault but he did not complain to an inspector of detainees. It is difficult to understand why he told an inspector that the Security Police had treated him well.

"Jabu Ngwenya was deliberately vague when questioned about details. He was selective in what to remember and what to forget. He did not impress as a reliable witness," Mr Kotze said.

It was strange that Mr Auret van Heerden had felt concerned that Dr Aggett might commit suicide, but had not informed the police, Mr Kotze said.

No system of assaults and ill-treatment of detainees by security policemen had been proved, the magistrate said.

# Inquest finding shocks unions

MR JAN THERON

**Shock and condemnation were the reactions from trade unions and other groups after yesterday's inquest finding in Johannesburg that no one was to blame for the death in detention of Dr Neil Aggett in February this year.**

**Mr Jan Theron, national secretary of the Food and Canning Workers' Union, of which Dr Aggett was Transvaal regional secretary, was highly critical of the finding and described it as "selective."**

**A spokesman for the Federation of South African Trade Unions, Mr Taffy Adler, said the federation was shocked.**

**"The finding will give no solace to those unfortunate enough to have been taken into police custody and we fear that, until the present system of detention without trial is abolished, no inquiry or inquest after the fact will satisfy us that detention without trial and the conditions arising out of detention without trial are just," the Fosatu statement said.**

**The head of the General Workers' Union, Mr Dave Lewis, said that the magistrate had criticised allegations of Security Police brutality from other detainees and thereby sanctioned police conduct over detainees in the future.**

**"As far as thousands of workers are concerned, Neil Aggett was detained and died as a result of his trade union activities. The inquest finding will not alter that conviction," Mr Lewis said.**

**The general secretary of the Council of Unions of South Africa, Mr Phiroshaw Camay, said that, in the broader South African context, the verdict was not a surprise.**

**"We believe that detentions and bannings remain a violation of fundamental human rights. Whenever we can we will continue protesting to seek the total eradication of the laws which allow these injustices."**

**Professor Johan van der Vyfer, national president of Lawyers for Human Rights, also criticised the finding.**

**"It is quite clear that Dr Aggett's death was brought about by the system of detention without trial," he said.**

**Professor van der Vyfer said that detention for the purposes of interrogation had all the makings of an inquisition.**

**A spokesman for the Detainees' Parents Support Committee said the verdict still made the DPSC fear for the fate of other detainees. He added that the full story of Dr Aggett's death had yet to be uncovered.**

# Fresh row likely on detainees' protection issue

329
E. Post
22/12/82

Political Correspondent

THE Aggett inquest dramatically illustrated the inadequacy of protective measures for people in detention — an issue ceaselessly hammered for years by Opposition spokesmen, lawyers and legal academics.

Nothing the Government has done by legislative amendment or departmental instruction since Dr Aggett's death has changed the biggest objection to the present system of detention — the lack of independent surveillance of detainees.

The inquest is bound to resurrect the fierce argument on the issue between the Government on one hand and the legal fraternity, official Opposition and civil rights groups on the other.

The Government insists on retaining all the major monitoring and review procedures concerning detainees in the hands of the executive while the Opposition believes effective monitoring can only be carried out by an independent and impartial body, preferably the Supreme Court.

Some of the main points of contention highlighted by the inquest are:

● **Monitoring of detainees by magistrates and inspectors of detainees:** The old Section 6 (7) of the Terrorism Act required a magistrate to visit a detainee every two weeks.

Mr Jimmy Kruger, former Minister of Police, introduced an inspectorate of detainees made up of ex-magistrates with the powers to visit detainees. The system — hastily created in the aftermath of Steve Biko's death — failed to prevent the death of Dr Aggett.

The Rabie Commission's proposals, embodied in the Internal Security Act passed in May, confirmed the provisions for fortnightly magisterial visits and entrenched in law the hitherto departmental provisions for inspectors of detainees.

These provisions themselves have been the source of grave concern by the legal fraternity.

In 1979 the Association of Law Societies, in response to the death of Biko, called for the supervision of detainees by Judge Presidents of the Supreme Court and in February this year — two days after Dr Aggett's death — the General Bar Council warned that visits by magistrates every two weeks were inadequate. It called instead for access by detainees to their own lawyers under controlled circumstances.

In April the Detainee Parents Suppport Committee called as an interim measure for detainees to have *entre* to lawyers and in a later response to the Rabie Commission, the Association of Law Societies suggested a detainee have access to a private lawyer and rights of representation to the Judge President, who could order his release.

Evidence at the Aggett inquest showed that — despite Section 6 (7) of the Terrorism Act and their own departmental detainees inspectorate — police officers three times refused magistrates and inspectors access to Dr Aggett. Substantially the same provisions for the surveillance of detainees exist now as before Dr Aggett died.

● **Access to medical attention:** Under the previous system, detainees could have access to district surgeons if they desired. Rabie recommended that a district surgeon visit detainees every two weeks.

The General Bar Council and the Detainees Parents Support Committee called for detainees to have access to private doctors while the Association of Law Societies advocated a private doctor appointed by the Judge President be allowed to tend detainees.

The Asssociation also recommended in response to Rabie that a district surgeon examine each detainee before and after an interrogation.

The Government opted instead for the Rabie proposal together with a departmental tightening-up of records of district surgeons' visits, and more access by the district surgeon to detainees — for example, immediately after a detainee was arrested.

But in evidence before the Aggett inquest it became clear that a detainee's access to either a magistrate — even though entrenched by law — or a district surgeon is subject very much to the whims of his case officers.

● **Access to outside people:** The Rabie Commission recommendations and the Internal Security Act entrench the commissioner's competency to allow family and other people to see detainees, but this power already existed in terms of Section 2 of the warrant of arrest (in fact, Dr Aggett himself received a visit from a friend).

Demands by the DPSC for detainees to have legal rights to receive outside vistors have been rejected by the Government and the tighter departmental guidelines announced recently by Mr Louis le Grange, Minister of Police, do not refer to the issue.

● **Investigation of complaints:** A memorandum by the DPSC in April claimed detainees were assaulted by police and although they had the right to complain they were afraid to do so because the complaints were investigated by the same people.

In their memorandum the Association of Law Societies recommended a much larger role for the uniformed police in keeping surveillance over security police actions.

It suggested a uniformed police colonel be responsible for each detainee, that they keep records of all interrogations and that complaints against interrogators be investigated by uniformed personnel.

In the new police departmental guide, the Minister announced that if a detainee was injured the case would be investigated by an officer who was not part of the same branch as the interrogating officer.

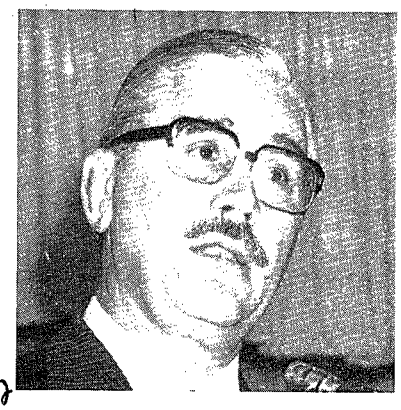
Evidence at the Aggett inquest had revealed that it took 17 days after a complaint by Dr Aggett to a magistrate about being tortured for a uniformed policewomen to take a statement from him.

In Parliament during the debate on the Internal Security Bill, Mr Le Grange promised he would draw up a code of conduct for the police. The new y-introduced code, although going some way to meeting the demands of the law societies (next-of-kin must now be informed of detention) still consists only of a departmental adjustment of the conditions of detention. It does not change the basic principle of sole executive authority over detainees.

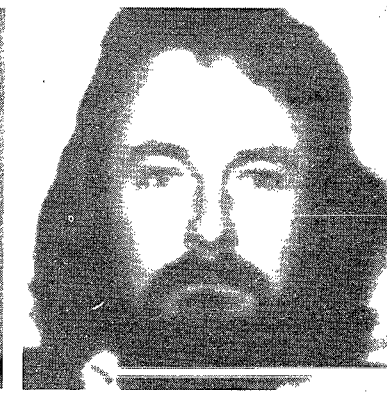
# Now the questions . . .

## Aggett inquest puts Le Grange on the spot

329 E. Post 22/12/82



MR LOUIS LE GRANGE



Dr NEIL AGGETT

THE Aggett inquest evidence places Mr Louis Le Grange, the Minister of Law and Order, firmly at the centre of what is certain to develop into one of the biggest political rows of the year.

The Minister — as political head of the police — takes responsibility for the actions of the security police in carrying out of their investigations into the trade union detainees.

Questions which have arisen from the inquest include:

- The glaring contradictions between Mr Le Grange's claims about the rights of detainees and the reality of the detainee's plight as revealed by police and other official witnesses at the inquest.
- Why did the Minister demand that the official Opposition place evidence of police brutality before the inquest court and then several months later fight furiously to prevent precisely that sort of evidence being admitted?
- What are the circumstances surrounding the Minister's statement to Parliament on February 3 hinting at a show trial of the detainees — a statement made two days before Dr Aggett died?

On August 6 last year Mr Le Grange told Parliament that a Controller of Detainees visited detainees "from time to time", and in May this year attacked Opposition suggestions that the system did not provide protection for detainees. He also said he had not received a serious complaint over the previous two years.

- Also on August 6, Mr Le Grange said a magistrate had to visit a detainee every 14 days in terms of the law and the charge office sergeant visited detainees in their cells every hour.

On Febuary 3 this year he assured Parliament that people were being detained "under the most favourable conditions possible" and on May 18 he claimed a detainee was taken to the district surgeon or a doctor "if he develops the slightest complaint".

The evidence from police and other official witnesses at the inquest starkly contradicted the Minister's assurances.

Mr Abraham Mouton, inspector (controller) of detainees, told the inquest hearing he had visited Dr Aggett at John Vorster Square on January 4 but been told he was out on investigations.

Police witnesses at the inquest later conceded Dr Aggett had in fact been on the 10th floor of the building under interrogation. Dr Aggett claimed in a statement made shortly before his death he was assaulted on that day.

*If this is correct Dr Aggett was assaulted by police on the same day an inspector of detainees had been refused access to him.*

On December 29 — 14 days after Aggett's detention — a magistrate attempted to see him. He was fobbed off. On January 6 another magistrate tried to see Dr Aggett but was also turned away by the police.

It was not until January 19, 34 days after being detained, that Dr Aggett was able to see a magistrate. He immediately complained of having been tortured on January 4. Two weeks later on Febuary 1 another attempt by a magistrate to see Dr Aggett failed.

It was not until Febuary 4 — 17 days after telling a magistrate of the assault and a mere 20 hours before he died — that a full statement was taken from Dr Aggett.

**BY BRIAN POTTINGER**
**Political Correspondent**

Warrant Officer MacPherson — the man in charge of the detainee's cells — told the inquest the district surgeon seldom came to visit detainees.

The District Surgeon, Dr Vernon Kemp, meanwhile, told the inquest that injuries found on the Dr Aggett's body — attributed by the trade unionist to police brutality in a statement before his death — would have entitled him to medical attention. Yet a district surgeon was never called.

Another police witness admitted he had been "too busy" to visit Aggett every hour on the night he committed suicide.

- The Minister's grasp of other events surrounding Dr Aggett's death was also sometimes shaky.

He told Parliament on Febuary 16 this year that Dr Aggett was not assaulted "nor did he have any injuries apart from those which were the cause of his death".

Dr Kemp, however, told the inquest that scratches, marks and scabs attributed to police torture by Dr Aggett in a statement before his death corresponded with injuries found on the body in the post mortem.

There was a startling about-face by the Minister on the question of allegations of torture.

On February 15 Mrs Helen Suzman, PFP chief spokesman on civil rights, read out to Parliament what she said was an eyewitness account of the alleged torture of Dr Aggett. It was disclosed later that the account was the evidence of a detainee, Mr Morris Smithers, who had smuggled the details out of prison.

An outraged Mr Le Grange demanded that Mrs Suzman "produce any evidence in this House, or at the inquest before the magistrate, and to substantiate the disgraceful allegations she made this afternoon".

On May 7 Mr Le Grange promised Parliament Mrs Suzman and her "little friend" (Morris Smithers) would have very red faces indeed. "If there is anybody who is going to have a red face with regard to the Aggett case it will be the honourable member for Houghton," Mr Le Grange said.

Yet four months later when the counsel for the family sought to produce precisely the sort of evidence Mr Le Grange had demanded Mrs Suzman put before the court it was vehemently opposed by the the Minister's own counsel.

The counsel appealed unsuccessfully to the Supreme Court against the inquest magistrate's decision to admit Dr Aggett's statement and fought with partial success against the admission of statements by other detainees (including Smithers) alleging torture.

And the "red-faced" detainee Morris Smithers? He was served with a banning order two hours after counsel for the family made it known he would be testifying at the inquest. He was nevertheless allowed to give evidence.

- The third and crucial issue involves the circumstances surrounding the Minister's statement on February 3 this year that an "important court case" involving the detainees was pending.

Mr Le Grange — under strong pressure from the Opposition about the detention of trade unionists — told Parliament the investigations had been virtually completed in some cases and others had almost reached the point of conclusion.

"We are co-operating with the office of the Attorney-General to speed up the cases as far as possible and to bring them before the courts as soon as possible," he assured.

Evidence in the inquest did indeed indicate a steady and possibly tragic "speeding up" of the investigation by the police immediately before the no-confidence debate when Mr Le Grange could have reasonably anticipated an Opposition attack on the detention of the trade unionists.

The "speeding up" culminated in a marathon 62-hour interrogation session for Dr Aggett from 4pm on January 28 — the day before the opening of Parliament — until 3.30am on January 31.

Police claimed Dr Aggett had 12 hours' sleep during this time but admitted he never left the interrogation room. Fellow detainee Auret van Heerden described Dr Aggett as a "zombie" after the session and counsel for the family suggest Dr Aggett may have killed himself rather than face another "long-weekend" interrogation.

Dr Aggett was returned to his cell early on Sunday morning. The next day the no-confidence debate began with fierce Opposition attacks on the Government's detention of trade unionists.

On Wednesday afternoon came Mr Le Grange's promise to Parliament of a big trial. The same or the next day, it would appear from evidence, Dr Aggett wrote that he was a "Marxist and therefore an idealist". It was among the last things he was alleged to have written before his death.

Counsel for the family argued he wrote the statement after intense pressure and expert witnesses argued the "confession" had been written by Dr Aggett in deliberately contradictory terms so as to signal the fact it was written under pressure.

Evidence earlier in the inquest from detainee Auret van Heerden was that Dr Aggett had tearfully told him after his marathon 62-hour interrogation session that he had been forced to say he was a Communist.

Early on the Friday morning Dr Aggett was found hanging in his cell.

The "Marxist" statement was the only piece of vaguely incriminating evidence the police were able to produce at the inquest. Another four pages of allegedly incriminating statement were withheld at police insistence and later granted privilege by the Minister of Law and Order despite demands by the counsel for the family that the alleged statements be made public.

And Mr Le Grange's promise of a grand trial involving the unionists? Of the 12 practising trade unionists detained in the same swoop, eight were released from detention without explanation, two had charges against them withdrawn, one was acquitted and one, Neil Aggett, died.

Many of them had been in detention longer than three months, a number testified at the inquest to having been tortured and several were banned on release.

The only detainee to be brought to court was Alan Fine. In November a Johannesburg Regional Court magistrate threw out the charges against Fine because the State had failed to prove the South African Congress of Trade Unions (to whom Fine had sent information) was in a revolutionary alliance with the ANC.

- On November 24 Mr Le Grange announced an extensive code of conduct for the handling of detainees, including tighter supervision of interrogations, regular access to district surgeons and ministerial responsibility for the safety of each individual.

The code — promised by Mr Le Grange during debate on the Internal Security Bill earlier this year — has been rejected by Opposition, academic and detainee support groups as still failing to meet the major objection to the system — lack of independent and preferably judicial monitoring of detainees.

# Shock, outrage at Aggett inquest finding

329 Mercury

22/12/82

Mercury Correspondents

**JOHANNESBURG—An inquest magistrate yesterday decided that trade unionist Dr Neil Aggett had hanged himself in his cell and that no blame could be attached to anybody for his death.**

His family, trade unionists, lawyers and civil rights groups immediately attacked the finding.

Reaction ranged from 'total outrage', expressed by Mr Jan Theron, national secretary of the Food and Canning Workers' Union, for which Dr Aggett worked, to the deep disappointment voiced by Dr Aggett's father, Mr Aubrey Aggett.

Other leaders have also rejected the findings but police spokesmen last night refused to comment and Government officials were not available.

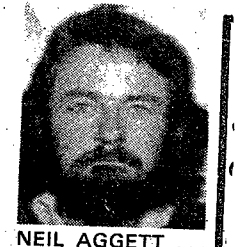
Former detainee, Mr Auret van Heerden, dismissed as 'absurd' a suggestion by inquest magistrate, Mr Pieter Kotzé, that possibly he could be held morally responsible for Dr Aggett's death because he had felt he might be suicidal.

The magistrate also found that Dr Aggett had not been deprived of sleep or ill-treated 'in any unlawful manner', that the police had not been aware of any deterioration in his condition or that he was a suicide risk.

Mr Kotze rejected evidence by former detainees that Dr Aggett had been assaulted and found that Maj Arthur Cronwright and Lt Stephan Whitehead had not caused Dr Aggett's death.

Dr Aggett's suicidal state could have been caused by guilt at having disclosed details of his activities and the names of associates.

A tense and exhausted Mr Aggett said Mr Kotze's summing-up had been 'very selective'.



NEIL AGGETT ... 'no one responsible'

'According to him, every single witness we produced was a liar while all police witnesses told the Gospel truth,' he commented.

Mrs Aggett left the courtroom in tears.

Shortly after the verdict, Dr Liz Floyd, Dr Aggett's girlfriend and fellow detainee, told a large group of local and overseas journalists that in spite of the official verdict, some people would believe the security police version of Neil Aggett's death while others would believe that of the former detainees who had given evidence.

*Cynical*

'I believe Neil was tortured and assaulted,' she said. 'He saw no relief from those conditions and expected the pressure to increase.

'He got to the stage where he was totally desperate and suicide was the only way out.'

Condemning the inquest verdict, she commented: 'If the security police treated him the way the magistrate accepted they did, why did he die and why have more than 50 other people died in detention?'

Dr Aggett had not been involved in any underground activity, she said.

'The union for which he worked was democratic, it's structures were under worker control.'

Dr Nthato Motlana, chairman of the Soweto Committee of Ten and Bishop Desmond Tutu, general-secretary of the South African Council of Churches expressed shock at the finding.

Dr Motlana said all fair-minded South Africans would feel aggrieved.

'It painfully reminds one of the infamous Biko case where something

TURN TO PAGE 2

# 'I cannot find that any unlawful act caused Aggett to take his life'

NOBODY was responsible for the death in detention of Dr Neil Aggett, a Johannesburg inquest court found yesterday.

The inquest magistrate, Mr P A J Kotze, found that the trade unionist died on February 5 this year of suicide by hanging.

"I cannot find, beyond any reasonable doubt, that any unlawful or negligent acts caused Dr Aggett to take his life," Mr Kotze said.

The police officers responsible for Dr Aggett's wellbeing could not have foreseen that Dr Aggett would take his life, he added.

They could also not have been aware of any change in the condition and attitude of Dr Aggett that may have suggested the trade unionist intended taking his life.

Moral responsibility for the suicide could possibly be laid on Dr Aggett's fellow detainee and friend, Mr Auret van Heerden, but such responsibility was not valid in law, Mr Kotze said.

Mr Van Heerden had said he realised Dr Aggett was suicidal on February 4, but had raised no alarm, Mr Kotze said.

"Is it possible that a man with earnest and honourable motives behaved like this? It is fairly hard to believe that Mr Van Heerden did not feel free to mention Dr Aggett's condition to the Security Police."

The magistrate said he could not find beyond any reasonable doubt that Dr Aggett had been deprived of sleep without his consent or that he had been assaulted by the police "in any unlawful manner".

Evidence presented by Mr George Bizos, SC, counsel for the Aggett family, was that Dr Aggett had been assaulted during interrogation and that he had been deprived of sleep for 62 hours.

Mr Kotze indicated in his finding that there were factors which could have contributed to Dr Aggett's suicide.

**Dr Liz Floyd, second from left, and friends face the Press at a conference after the inquest on her boyfriend, Dr Neil Aggett, ended yesterday.**

- The trade unionist was a man devoted to hard work and was deprived of the opportunity to pursue his ideals while in detention;
- During his detention, Dr Aggett had disclosed the names and particulars of the activities of some of his associates. These disclosures brought about a sense of uncertainty in Dr Aggett about his future, as well as a sense of betrayal of his associates; and
- Dr Aggett had to face his associates after his release and there was a chance they would reject him.

Psychiatric evidence had shown that such pressures, even in people as strongly willed as Dr Aggett, could produce suicidal tendencies, Mr Kotze said.

Mr Kotze said he was satisified that evidence of assaults and ill-treatment of Dr Aggett was unreliable.

He could not find beyond reasonable doubt that Dr Aggett had been treated in the manner described by a fellow detainee, Mr Maurice Smithers. Evidence was that Mr Smithers had watched through a frosted glass door in John Vorster Square as Dr Aggett was made to strip and do exercises while a policeman hit him with a rolled up newspaper or belt.

Counsel for the Aggett family had made a number of further allegations, Mr Kotze said.

The allegation that Dr Aggett could have been strangled and then hanged in his cell was "without any factual base".

Evidence heard by the court contradicted the allegation that detainees were not given the necessary medical attention, Mr Kotze said.

He was satisfied that, although the degree of competency of Dr Aggett's interrogators was a matter of individual opinion, a more competent interrogator would not have had any effect on the issue.

No reliable evidence had been presented to corroborate counsel for the Aggett family's claim that the function of the Security Police during Dr Aggett's detention had been one of intimidation, the magistrate said.

There was also no reason to believe that more visits to Dr Aggett by the warder on duty would have prevented the hanging.

Evidence heard by the court contradicted the allegation that detainees were not given the necessary medical attention, Mr Kotze said.

Although there was no evidence to suggest that Sergeant Aletta Blom deliberately delayed attending to Dr Aggett's complaint of assault, the magistrate said he believed the claim should have been dealt with earlier.

Counsel for the Aggett family's allegation that the interrogating officer, Lieutenant Steven Whitehead, was an "immature, vicious person" had not been justified, Mr Kotze said.

There had been different views on Dr Aggett's condition while in detention, especially during the 14 days prior to his death.

The police had not noticed a change in the trade unionist's behaviour and, while some detainees had, their versions of his condition differed from one to another, the magistrate said.

Mr Kotze found that reliable medical witnesses had discovered only one of the scars Dr Aggett claimed to have sustained during assaults. Their evidence had been that the scar could have been anything up to three months old, he added.

After drawing a capacity crowd yesterday, the inquest was attended by only a smattering of spectators and journalists early this morning.

However, as the hearing progressed, the tiny court filled with spectators and newsmen until there was standing room only as Mr Kotze announced his finding. — Sapa.

# Govt breaks silence over Aggett inquest finding

23/12/82 (329) RDM

THE Minister of Justice, Mr Kobie Coetsee, giving the Government's first comment on the inquest verdict exonerating the police from responsibility in the death in detention of trade unionist Dr Neil Aggett, said yesterday there had been no cover-up and "justice took its course".

"The case was heard in open court and all its facts were thoroughly aired," Mr Coetsee said. "There was an opportunity for all parties to bring witnesses and the magistrate in no way tried to inhibit any evidence. Justice took its course," he said, reports UPI.

He said the Attorney-General of the Transvaal had been handed the inquest verdict and would decide what if any action should be taken. But there would be no possibility of an appeal against the verdict by Aggett's family.

The Progressive Federal Party yesterday called for a commission of judges to be appointed to investigate deaths in detention.

However, the PFP's spokesman on Law and Order, Mr Harry Pitman, doubted the commission would be set up because the "the application of justice obviously does not appeal to the Government".

The Rand Mail Correspondent in Durban reports that the New Republican Party spokesman on Law and Order, Mr Brian Page, yesterday criticised the absence of any provision in the Internal Security Act dealing with the examination of a detainee by an independent doctor.

He said he would like to urge the Government to reconsider the inclusion of a clause providing for examination of a detainee by an independent doctor.

Mr Page said the magistrate's finding on Dr Aggett's death had highlighted this weakness in the Act.

The Mail's London Bureau reports that human rights groups, Labour MPs and trade unionists in London last night expressed shock and concern at the findings in the inquest.

The human rights organisation, Amnesty International, called for a judicial inquiry into allegations made during the evidence at the inquest.

Mr David Laulicht, a spokesman for Amnesty said: "We find it hard to understand how the magistrate reached his decision in the light of the evidence to the court.

"We feel that, beyond this, there should be an immediate independent judicial inquiry in South Africa into allegations of torture and illtreatment of detainees and into the Security Police powers of detention and interrogation methods."

A spokesman for the Trades Union Congress said trade unionists everywhere were stunned by the findings.

● See Page 2

# Detainees: US puts case

By John D'Oliveira, The Star Bureau

WASHINGTON — In the aftermath of the Aggett inquest verdict, the Reagan Administration said here today that indefinite detention without trial "remains the issue."

At the same time a liberal congressman called the court's decision "obscene."

A State Department spokesman referred to a February 9 statement in which the department expressed "deep regret" over the South African labour leader's prison death.

"That inquest has now ended and I will not comment on the merits of the inquest findings.

"What remains the issue in our view is the practice of indefinite detention without trial under which Dr Aggett was being held at the time of his death. We are also concerned that all detainees be treated humanely, wherever they are held."

The spokesman said the South African Government had recently issued new administrative guidelines for the treatment of security prisoners which could serve to "ameliorate" the conditions under which they were held.

New York's liberal Democrat, Mr Thomas Downey, also co-chairman of the ad hoc congressional monitoring group on South Africa, was less circumspect. "For a nation which prides itself on its legal system, South Africa has done a remarkable job of disregarding any civilised concept of justice.

"The court decision, clearing the Security Police of any culpability in the death of Neil Aggett — and placing moral blame on Auret van Heerden — is nothing short of obscene.

"After the travesty of the Biko case, I thought the South African Government would take this matter more seriously . . . Apparently I was wrong."

● See Pages 9 and 17

# kaNgwane — no one quits

Lowveld Bureau

KANYMAZANE — No letters of resignation have been received so far from members of kaNgwane's Legislative Assembly, according to the Chief Executive Councillor, Mr Enos Mabuza.

He was commenting on an announcement by a former Executive Council member, Mr David Lukhele, that 10 members had indicated they would be resigning.

"That members will resign is no surprise," said Mr Mabuza.

"The Government's decision not to incorporate kaNgwane into Swaziland was a severe setback to those in favour, and the only way these people can save face is by resigning."

But he did not believe as many as 10 would resign.

"Seven, if as many as that, is my guess," he said.

Mr Mabuza assured those contemplating resignation that they were more than welcome to return to the fold.

"The gates are open, but should they decide to go, we have no alternative but to act in terms of the Constitution."

Regarding Mr Lukhele's announcement that his group of 10 would apply to the State President to dissolve the kaNgwane Legislative Assembly, Mr Mabuza said only the Assembly could make such a request.

He added: "As far as we are concerned the morale of the chiefs, members of the Legislative Assembly, and the people of kaNgwane is very high.

"It's all systems go, and we are looking forward with confidence to the special session on January 21 which will be officially opened by Mr F W de Klerk, the Minister of Internal Affairs."

# Pik warns Lesotho of more raids

The Minister of Foreign Affairs and Information, Mr Pik Botha said yesterday that South Africa would launch more pre-emptive raids against terrorist bases in Lesotho or any other neighbouring country.

Mr Botha said that if Lesotho harboured people who carried out acts of violence in South Africa the South African Government would have to consider economic steps against Lesotho.

More raids would be made if neighbouring countries continued to harbour terrorists.

He was reacting to an announcement that Lesotho would continue sheltering political refugees from South Africa

Referring to the insistence of the UN Security Council that South Africa compensate Lesotho for the raid, Mr Botha said that if there were any compensation to be paid Lesotho, and not South Africa, should do the compensating for damage caused in South Africa by terrorists. — Sapa.

# Police make a carpet bag

Johannesburg detectives have recovered seven Persian carpets, valued at R100 000, from a 32-year-old man allegedly involved in a multimillion-rand theft.

The carpets were recovered from a bank vault during an investigation by the Gold and Diamond Branch.

The man is an awaiting-trial prisoner and has not been named.

The carpets are at Bramley Police Station and detectives have asked for the public's help in identifying them and establishing whether they were stolen.

Anyone who might be able to identify the carpets is asked to contact Detective Warrant-Officer Sarel Pretorius at 786-9811.

# De Gaulle's son retires

PARIS — Admiral Philippe de Gaulle (61), only son of the late President Charles de Gaulle, has retired after serving 42 years in the French Navy. — Reuter.

# AWB member goes into hiding in Europe

Own Correspondent

AMSTERDAM — Mr Cornelius "Kees" Moes, Dutch-born member of the Afrikaner Weerstandsbeweging, has gone into hiding in the Netherlands or West Germany.

His mother and brother, who live in Bergschenhoek, north of Rotterdam, say he was in contact with them last week, but that he has since vanished.

Mr Moes fled from South Africa 10 hours before police arrested suspected members of the AWB following the discovery of arms caches.

Justice Ministry officials in the Hague say he could not be extradited to South Africa.

# Drowned yachtsman was from Randburg

Own Correspondent

CAPE TOWN — The body of a man found washed up this week near Holbaai has been identified as that of Mr Jurgen Schmidt, the yachtsman who was swept overboard from the Rothman's Week entry "Pie" in Table Bay last Friday night.

Mr Schmidt (46), of Henglicon Avenue, Randburg, was identified by Mr Manfred Beck of Johannesburg, the owner-skipper of the yacht, who flew to Cape Town yesterday.

Mr Beck and two members of his crew, Mr C G Bouwer, and his son Kevin (17), of Alberton, managed to reach the shore after their yacht ran aground in rough seas while they were searching for Mr Schmidt.

# Stevedores get

# Aggett inquest was no cover-up, says Coetsee

(329) E. Post c 3/12/82

By BRIAN POTTINGER
Political Correspondent

THE Minister of Justice, Mr Kobie Coetsee, has rejected suggestions that the Aggett inquest was a "cover-up" or that inquest proceedings were not adequate for establishing the truth of a detainee's death.

Mr Coetsee claimed he had kept his promise to Parliament for a full inquiry into Dr Aggett's death.

The response follows angry comment from friends of the dead trade unionist about the finding that nobody was to blame for Dr Aggett's death, and statements by the official Opposition that Supreme Court judges and not magistrates should hold inquests on detainees deaths.

Mr Coetsee said in a statement from Pretoria, through Sapa, that he was satisfied the finding of the magistrate was not a "cover-up" for the security police.

"Justice has taken its course. The case has been heard in open court and all the facts involved have been brought to light."

He was satisfied that all parties involved had been given a chance to present their evidence and it was clear the magistrate had not tried to inhibit any witnesses.

Mr Coetsee also announced that the magistrate's findings were now in the hands of the Attorney-General.

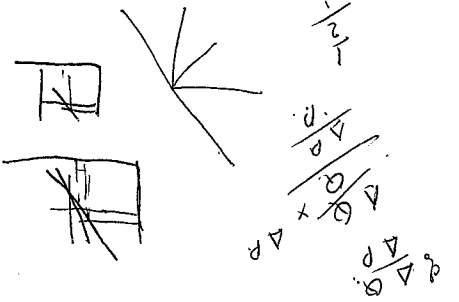
He had to decide what procedure should be followed, but there was no possibility of an appeal by Dr Aggett's next-of-kin against the court's finding.

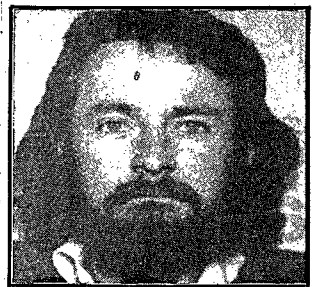
A spokesman for the SAP Directorate of Public Relations in Pretoria has meanwhile said it is uncertain whether a departmental inquiry will be launched into the actions of the police concerned with Dr Aggett.

There is also still no response to the magistrate's criticism of the police for the 17-day delay in taking a statement from Dr Aggett after he had told a visiting magistrate he had been assaulted by police.

Lt-General Johan Coetzee, Head of the Security Police, has said the security police have never had any objection to their actions in regard to detainees being tested in the court as an independent forum.

● Editorial comment — Page 8





THE AGGETT VERDICT

By STEVEN FRIEDMAN

# The unanswered questions

## AT ISSUE IS THE ENTIRE DETENTION SYSTEM

(329) RDM 23/12/82

THE MAGISTRATE, Mr Kotze . . . little qualms about some apparent oddities in police evidence.

**THE Aggett inquest verdict is remarkable more for the questions it raises than for those it answers.**

In a marathon hearing, the inquest court heard evidence from an unprecedented number of security law detainees, the police and other witnesses.

At issue was not only why idealistic young unionist Dr Neil Aggett took his own life in police detention in February, but the entire detention system.

And, at the end of it all, magistrate Mr P A Kotze's findings succeed only in raising some disturbing questions of their own.

So much so that veteran civil rights campaigner Mrs Sheena Duncan was moved to say that, as in the Biko inquest, the public would be guided "by the evidence at the inquest, rather than the findings of the magistrate".

What was the evidence and the finding, and what issues do they raise?

The Aggett family case aimed to prove Dr Aggett's suicide was "induced" . . . that it followed "intensive" police questioning which reduced him to a state in which he believed death was preferable to more interrogation.

They had evidence that Dr Aggett had been interrogated by police for 62 hours — during which he slept for only 12 — less than a week before he died.

He also made a statement the day before he died complaining of assault, electric shock treatment and sleep deprivation.

Several detainees testified they had seen him days or hours before he died and that a great change had come over him.

Some said he had been injured; others that he appeared "broken".

One, Mr Maurice Smithers, said he had seen policemen assaulting Dr Aggett. Another told of policemen "with hunters' eyes" going in to interrogate him.

And a key part of the Aggett case was the evidence of detainees who told of assaults against them by police at the time Dr Aggett was also being held.

The purpose was to show a "pattern of behaviour" by police during interrogation, the implication being that if the police had done this to others, they could well have done it to Dr Aggett.

The police denied these allegations.

They told the court that the 62-hour interrogation was requested by Dr Aggett, who had

THE PARENTS, Mr and Mrs Aubrey Aggett . . . sought to prove their son's suicide was "induced".

Mr Smithers had written his prison note on a tiny scrap of paper. In evidence, he qualified some statements he had made in the note.

The Aggett lawyers argued that claims made in a hastily-scribbled note on a scrap of paper could hardly have included a fully-rounded picture of what Mr Smithers saw . . . but Mr Kotze found he had "confused assumptions with facts".

The evidence of two detainees — Prema Naidoo and Shirish Nanabhai — about their own alle ed tortu[illegible] said because

ted suicide because he "betrayed" his associates was partly based on B3 . . . and on the evidence of a psychiatrist who never met him.

And not once did it become clear why Dr Aggett, who was tough enough to make several complaints against the police despite fear of reprisals, suddenly decide after being treated well to commit suicide.

The picture is clear: where there are discrepancies in detainees' evidence the court dismissed what they had to say. Where these appeared in police evidence, it disregarded them.

What does this say about detainees' rights to use the courts and about police statements that the courts are independent monitors of police actions?

Now it is logical to suggest some detainees might resent the police and seek to blacken their name.

But it is also logical to suggest that the police are unlikely to want to reveal maltreatment of detainees if it takes place.

Because most of what happens in detention is known only to the police and detainees, this could mean that no court could ever decide on the truth, no matter how many witnesses on each side supported each others' evidence.

That would be a damning indictment of detention without trial, because it would mean that no detainee who *was* assaulted could ever get legal redress.

But Mr Kotze goes further . . . he implies that what detainees say is suspect unless proved otherwise; what the police say is true, unless proved otherwise.

The implications for detainees' rights are even more frightening.

For while both detainees and police might be presumed to have a motive for misleading, detainees have extra difficulties in proving their case in court.

They have no one to check their impressions with, because they are held in solitary; little idea of time, because they have no watches or routine; and they are held in a climate which makes them fear complaining for fear of reprisal.

Indeed, on Mr Kotze's criteria, the stark fact is that no detainee could ever probably prove an allegation in court.

But his verdict has another alarming thing to say about safeguards for detainees . . . which reflect on current Government "reforms" for them.

They told that Rabie inspectors could always visit detainees, but they told the court

THE GIRLFRIEND, Dr Liz Floyd . . . partly discredited because of a 15-minute discrepancy in her evidence.

# It's been a Dickens of a season in London

By MARK SMITH

**THE London of Dickens lives . . . and no more so than at Christmas, when this grey old town glows with the humour, hope, charity and cheer with which the English traditionally warm their bleak winters.**

"The brightness of the shops, where holly sprigs and berries crackled in the lamp-heat of windows, made faces ruddy as they passed," Charles Dickens wrote in "A Christmas Carol."

The faces Dickens saw in 1843 are still glowing this year as Londoners scurried to the department stores on Oxford Street, the fashionable boutiques of Knightsbridge, the local butchers — windows crowded with hanging turkeys — and the street corner fruiterers, in the yearly hunt for treats for the Yule tree and table.

In the underground, the hats of buskers — London's street musicians — fill with coins.

The halting melodies of tippling carollers leak through pub doors.

At staid businesses in the financial centre of the city, the phone is answered with: "Happy Christmas" and the sound of laughter and clinking glasses can be heard.

Even the staunchly atheistic Soviet Weekly wishes its London readers "Heartiest Greetings" in suspiciously Christmassy red and green letters.

In a year when Britain's economy sank to depths not seen since the Great Depression, a year when more than three million people haunted the dole queues, a year when 255 British men died fighting for the windswept Falkland Islands far away in the South Atlantic, the spirit of Christmas London endures.

Despite the recession, Harrods and other stores reported a crush of shoppers, with sales as much as 20% higher than last year.

And not just of sensible items. Harrods expects to sell a quarter of a ton of caviar by Christmas Eve, and one of the most popular items is champagne-flavoured toothpaste at R3,43 a tube.

Dickens said part of Christmas appeal in to the child in

They also denied maltreating detainees. Some told of how they had taken their prisoners' swimming, or to a braaivleis, or drinking beer with them.

Police said they had evidence that Dr Aggett had helped the banned African National Congress. They produced statements they said he had made, confessing to being a communist.

The implication was that he had invented stories of maltreatment to blacken the police and thus serve his alleged political masters.

A psychiatrist called by police said he had been told Dr Aggett had betrayed his friends and that his suicide was consistent with remorse.

Almost without fail, Mr Kotze accepted the evidence of the police.

He acknowledged that the evidence of Lieutenant Stephan Whitehead, one of Dr Aggett's chief interrogators, and security police Major Arthur Cronwright, had to be treated with caution because the Aggett family accused both of causing his death . . . but nevertheless found Lt Whitehead's evidence reasonable.

At the same time, Mr Kotze dismissed the evidence of almost all the Aggett family witnesses.

More importantly, he dismissed that of every single detainee. His grounds for doing so make interesting, often mystifying, reading.

Mr Auret van Heerden fared worst.

He had told of seeing a "broken" Dr Aggett the day before he died, and of fearing he was suicidal. But he said he did not tell the police because he feared reprisals from them.

Mr Kotze said that, because Mr Van Heerden was suspected of being a police spy, his evidence may have been based on a desire to clear himself.

He went on to say that Mr Van Heerden might have been "morally responsible" for Dr Aggett's death.

He accepted the police did not know Dr Aggett was suicidal, and said Mr Van Heerden was thus the only person who knew of this

THE MAN WHO MIGHT HAVE BEEN MORALLY RESPONSIBLE . . . Mr Auret van Heerden, a fellow detainee.

but had not raised the alarm.

He implied this could have been because Mr Van Heerden worked for the ANC and feared Dr Aggett might be implicating ANC supporters.

The oddest verdict was pronounced on Mr Morris Smithers . . . who had smuggled a note out of the cells alleging Dr Aggett had been tortured.

Mr Kotze impugned his credibility because he submitted an affidavit under oath, but refused to take the oath in court, because his affidavit — typed by a lawyer's secretary — misspelt his first name and because he used the word "we" under cross-examination.

THE FUNERAL . . . part of the crowd which marched through Johannesburg on the way to Dr Aggett's burial.

bouring an escaped political prisoner.

Nanabhai had marks on his arms which, he said, were the result of electric shocks.

A district surgeon testified that the marks could have been made with a small electrode similar to one produced by the Aggett team.

But Mr Kotze rejected his evidence, partly because Nanabhai said he had four marks and the surgeon said he only had two.

He even speculated, on his own initiative, that it was not impossible for Nanabhai to have made the marks himself to discredit a possible confession.

One of Mr Kotze's reasons for doubting detainee Mr Thabo Lerumo was, he said, because his jaw had hung open while he was testifying.

Dr Aggett's girlfriend, Dr Liz Floyd, was partly discredited because of a 15 to 30 minute discrepancy in a period she claimed police had made her stand.

Other detainees' evidence was dismissed because they had claimed to see bruises and blood on Dr Aggett, for which there was no medical evidence.

On medical evidence, it seems they were indeed mistaken.

But the Aggett lawyers warned the court such errors were inevitable. The climate in detention meant, they said, that detainee evidence might be flawed in some respects.

Mr Kotze rejected this. On the other hand, he seems to have little qualms with some apparent oddities in the police evidence.

Firstly, Lt Whitehead said Dr Aggett had wanted a 62-hour interrogation.

But in his affidavit, he said he had ordered the questioning because "intensive interrogation" was needed for the "continuity" of the investigation.

("Intensive interrogation" has been ruled unlawful by the Supreme Court, and both Witwatersrand security police chief Colonel Hennie Muller and Maj Cronwright told the court they did not allow it).

Other evidence also questioned the voluntary nature of the interrogation.

Police interrogators said Lt Whitehead told them during the 62 hours he was not satisfied with the information they were getting out of Dr Aggett.

And Aggett lawyers argued that the statement the police produced at the end of the 62 hours added little information to what Dr Aggett had already told them and several denials . . . hardly, they argued, the statement of a man baring all.

The Aggett team alleged police questioned Dr Aggett in shifts to keep him awake. Police denied evidence from a detainee, who said he heard them discussing shifts, but admitted questioning Naidoo in shifts.

They also drew attention to the fact that police from outside areas, with no prior involvement in the case, were brought in to question Dr Aggett during the 62 hours, im-

THE MAN WHO SMUGGLED A NOTE OUT OF THE CELLS . . . Mr Morris Smithers, another fellow detainee.

plying they were specialists in extracting information.

In court these men said they had special knowledge of some labour issues . . . but they did not mention this knowledge in their affidavits.

Col Muller said detainees who began "talking" became "disturbed" and were therefore kept under police surveillance.

But there was no explanation of why Dr Aggett was not kept under guard after he allegedly "talked".

Then there was a list of names produced by a Warrant Officer Deetlefs, in which, he said, Dr Aggett had implicated others. The list transpired to have been written in the Warrant Officer's own hand.

Then police said they could not hand in this list because it might be needed in a prosecution and was privileged.

But no Ministerial certificate was ever handed to the court saying the document could not be produced, so there was no documentary evidence that Dr Aggett had "betrayed" others.

And then there was document B3 — produced in the trial of Barbara Hogan — which Maj Cronwright said contained evidence of Dr Aggett's links with the ANC.

But a Captain Naude, who also questioned Dr Aggett, conceded it did *not* implicate him.

But this problematic document was used by Mr Kotze to draw conclusions about both Mr Van Heerden and Dr Aggett.

Mr Kotze's finding that Dr Aggett commit-

[illegible] safeguard [illegible] could plain to an inspector or magistrate. But it is up to the inspector to record their complaints correctly.

When they did not complain, Mr Kotze used this to discredit their evidence of maltreatment in court.

And where they did he rejected discrepancies between their evidence and their complaint, even though some inspector's reports were very brief indeed.

In one case, a detainee told a policemen he would rather not say whether he was assaulted or not. This, too, was seen as damaging by Mr Kotze.

So the inspector system means this: If detainees complain, they will be discredited unless an inspector records their complaint accurately. If they don't, they are discredited. And if they try to do neither, they are discredited.

And it is not even clear whether an inspector can even see them when he wishes.

Mr Kotze criticised Warrant-Officer W McPherson for telling an inspector who wished to see Dr Aggett he was not at the prison when he was.

And, in yet another discrepancy, Inspector Mr Abraham Mouton said he was allowed on to the 10th floor of John Vorster Square, where interrogation takes place, but Col Muller said he had never seen an inspector there.

What of other safeguards?

Mr Kotze seemed to have no problems with the lack of these . . . or with conflicts between what the police told the Rabie Commission into security laws and what they told the court.

visits occurred, and Mr Mouton's experience does not seem to indicate unlimited access.

Rabie was told that allegations of assault are always immediately telexed to headquarters. There was no evidence in court that this had happened.

In at least two crucial areas, therefore, Rabie — on which the new security law package is based — may have been misinformed.

A host of other issues were raised in evidence. What confidence can there be in the system of ordering continued detentions when Maj Cronwright told the court they can be ordered on the unquestioned say-so of a junior interrogator?

What confidence can there be in investigations into assault when Dr Aggett's complaint was given to a junior policewoman, Sergeant Blom, who not only wrote it down in her, not his, words, but also testified she had consulted the security police before and after taking the statement?

And when the police involved in the Aggett investigation were also involved in the inquest investigation?

Finally, what confidence is there that police will implement safeguards if a detention warrant specifies detainees must have an hour's exercise a day but both Maj Cronwright and Col Muller told the court they did not know this?

Mr Kotze was not see fit to comment on any of this. But many will be highly disturbed.

And the two overriding questions posed by the inquest remain unanswered.

One is whether safeguards against abuse of detainees provide any protection?

The other is whether Dr Neil Aggett died because he had told the police too much or because he had not told them enough?

THE POLICEMEN, Major Arthur Cronwright, Colonel Hennie Muller and Lieutenant Stephan Whitehead

sometimes," he wrote in "A Christmas Carol". "And never better than at Christmas, when its mighty founder was a child himself."

Not surprising, then, that the Royal Shakespeare Company's new production of "Peter Pan" — in which J M Barrie's eternal youth is played for the first time by a man — is the top box-office hit, even though it features a new ending in which Peter and Wendy and the rest of the Darling children grow up to become staid lawyers, judges and accountants.

But for some Londoners there is no theatre or music or gift-giving.

Social service groups estimate that 200 000 of the capital's seven million residents will spend the holiday alone, many of them elderly widows and widowers.

And for them Christmas unleashes a flood of appeals for money and clothing.

There are other traditions: Christmas cards, an English invention of the 1840's, was-sailing, the giving of apples to "banish all unhappiness from the past 12 months" and Christmas crackers.

At Christmas, Londoners watch pantomime shows, in which the female lead is a male in drag and the "Principal boy" is a woman in tights and little else.

And they bet — the British bet on anything that moves — on whether a white Christmas will accompany the annual broadcast of the Queen, a tradition begun in 1932 by King George V, who used radio to wish his far-flung empire a happy Christmas "from my home and from my heart".

There is also a tradition among Londoners of humbugging the Christmas Spirit. This year's Scrooges include the Reverend Michael Wright, an Anglican vicar who wants to ban Father Christmas because, Mr Wright says, Santa's midnight visits frighten children.

But for most Londoners the spirit of Christmas is one of delight in a break with the London winter: "Foggier yet, and colder," as Dickens described it. — Sapa-AP.

# Su Su's a home help — she's a monkey

**By CAROL VECCHIONE**

DEFT little Capuchin monkeys — the familiar "organ-grinder" monkeys — are providing helping hands and new hope for quadraplegics longing for a more independent life.

Dr Mary Willard, a New York psychologist, says she got the idea of Capuchin monkeys fetching objects and feeding paralysis victims when she worked in a hospital and befriended a quadraplegic patient.

"At first, the idea of a monkey helping a quad seemed a little farfetched to some people," she says.

"But, really, the concept involves two members of the animal kingdom sharing a daily routine."

The monkeys are intelligent and able to lift objects with human-like hands.

The Capuchins live an average of 30 years.

In 1977, Dr Willard trained a monkey donated by an organ grinder to help a young man whose body was paralyzed. Since then, three monkeys have been placed and three more are in training.

To teach the monkeys 15 commands takes six months of work for an hour a day.

Dr Willard devotes most of her time to the project, with the part-time help of college students.

Handicapped owners verbally command the monkeys and point to objects with a laser beam attached to their wheelchair.

If the owner desires a page in his book turned, he alerts the monkey with the beam and the monkey responds.

Other duties include turning lights on and off, getting food out of a refrigerator, feeding owners and doing light housekeeping.

But the most cherished, if unofficial, reponsibility of the monkey is companionship.

Louis Corvess is the most recent owner of a monkey, named Su Su.

"Su Su is fantastic . . . she makes me feel complete," says 27-year-old Louis. "If I want a sandwich or to listen to music, she can get it for me and I don't have to depend on my mother or father 24 hours a day."

"You know you can't ever be totally independent, but the monkey helps cut the isolation and gives you arms and legs again, in a way," Louis says.

More than 80% of all quadraplegics are men. All of the monkeys trained are female, Dr Willard said. She attributes those facts to the nature of both.

"Young men are notorious drivers and are injured in accidents," Dr Willard said. "Female monkeys tend to be more even-tempered and trainable than the male of the species."

The three owners did not have to pay for their monkeys. But Dr Willard, who trained with famed behavorial psychologist B F Skinner, says her funds are running out.

Dr Willard says she hopes to continue and expand her work and has established a non-profit organisation called "Helping Hands: Simian Aid for the Disabled." — UPI.

# Detainee deaths: SP have yet to be found culpable

By Carolyn Dempster

The outcome of the inquest into the death in detention of trade unionist Dr Neil Aggett follows a pattern established over 20 years of inquiries into detainee deaths.

No magistrate has ever found the Security Police responsible for a death in detention.

Inquests have been held into the deaths of 31 of the 51 people who have died in detention since 1963.

In each case the Security Police have been exonerated. However, in the majority of the inquests, a wealth of evidence has been presented alleging abuse and ill-treatment.

Although recorded in the inquest finding this evidence has, on the whole, never been found to be pertinent to the cause of death and has been relegated to second place.

Dr Aggett was the 25th detainee found to have committed suicide while in Security Police custody and the 18th to have been found hanging in his cell.

**CAUSE**

In the Johannesburg Magistrate's Court this week magistrate Mr P A J Kotze said he had reached the conclusion that Dr Aggett had been a man deeply devoted to his cause.

In detention he had disclosed certain information about the activities of his associates.

Mr Kotze said: "This brought about feelings of insecurity in his future because of a sense of betrayal."

The finding is in many respects similar to that in the case of Dr Hussein Haffejee, a 26-year-old Durban dentist who died on his first night in detention in August 1976.

The method was hanging, the motive put forward by the official leading the evidence was suicide.

During the post-mortem, the chief state pathologist and an assisting international forensic expert recorded 40 to 50 bruises on the dead man's body.

However, they agreed these were not the cause of death.

The Security Police maintained Dr Haffejee had suffered the bruises during an escape attempt.

**DOCUMENTS**

Documents supporting the suicide motive were handed in despite strong opposition by the family, which claimed the dead man was being put on trial as a saboteur at the inquest.

The documents were admitted by the magistrate, who recorded a finding of suicide by hanging.

The police could not be held responsible for the dentist's bruises, the magistrate found.

The injuries were "irrelevant" because in terms of the Inquest Act the court was not concerned with issues not connected to the cause of death, he held.

Similarly, in other inquests, swellings, bruisings, abrasions, burns, haemorrhages, and unexplained wounds on the bodies of detainees have been raised in pathologists, reports but have never been found to have a direct bearing on the cause of death.

Cases include:

● Imam Abdullah Haron who died on September 27 1969 of natural causes after falling down the stairs. Altogether 26 bruises were found on his body. The pathologist reported death due to heart trouble as a result of the fall. The magistrate could find no person responsible.

● James Lenkoe, who died on March 10 1969. The inquest finding was self-inflicted hanging even though his widow put forward evidence that Lenkoe had been given an electric shock the day he died. Three pathologists found electric burn marks on the dead man's toe.

● Ahmed Timol, a 30-year-old school teacher who died in October 1971, was found to have fallen from the 10th floor of John Vorster Square. Verdict: Nobody responsible for the fall or for bruises on his body.

● Necodemus Kgoathe, who died of bronchial pneumonia on February 2 1969. Two Security Policemen testified that Kgoathe had slipped in the shower, explaining the numerous wounds, marks and abrasions on the body. Although a doctor testified the injuries were more likely to have been caused by assault the verdict was: Nobody responsible.

● Luke Mazwemba, who died on September 2 1976 by hanging himself with strips of blanket which had been cut with a razor blade. The Security Police could neither explain where Mazwemba had obtained the blade nor bruises and abrasions found on him. Verdict: suicide by hanging.

**BIKO**

Perhaps the most widely publicised inquest was that into the death of Steve Biko, who died as a result of brain injury.

The post-mortem disclosed injuries to the anterior abdominal wall and to the left of the chest wall, as well as skin abrasions between eight days and 12 hours old.

Security Police evidence was that Biko had become violent during an interrogation session and had had to be restrained by force.

In the ensuing fracas Biko had hit the back of his head against a wall.

This was accepted by the magistrate who found nobody responsible for Biko's death.

A leading neurological pathologist testified that at least three blows would have been necessary to inflict the brain damage discovered.

A magistrate has absolute control over inquest proceedings.

It is at his sole discretion which witnesses may be called, which documents may be submitted and what evidence to allow.

**QUESTIONS**

It remains at the discretion of the magistrate what questions the legal representative of the family of the dead person may ask and of whom.

Thus statements by officials and presented as documented fact in court do not necessarily come under the scrutiny of the family's lawyer.

Nor will he necessarily have the right to cross-exam the official who has made such a statement.

However, should there be insufficient or contradictory evidence concerning the circumstances surrounding the death the magistrate can still return an open finding.

This means that he is unable to make a finding on the basis of the evidence.

He need give no reasons for making this decision.

But reviewing the 11 inquests of the deaths in detention of the 31 detainees not one has been recorded as an open finding and the findings are, superficially at least, consistent with the explanations originally advanced by the Security Police.

# Aggett 'broken', says Amnesty

(339) Star 23/12/82

The Star Bureau

LONDON — Whether Dr Neil Aggett committed suicide was irrelevant, Amnesty International's medical group chairman, Liz Gordon, said this week. What mattered was that he was a man "broken by the treatment a political detainee receives in South Africa."

Reacting to the inquest finding that no one was to blame for Dr Aggett's death in detention, she said the verdict was not surprising. "It was what we expected."

Asked if she thought Dr Aggett had committed suicide, she said: "He may have. But I think this is a consequence of his treatment. He was reduced to that depressed state."

Dr Roger Williamson, a human rights officer of the British Council of Churches, said the affidavit by Mr Auret van Heerden, included in the collection "Torture in South Africa," published this week, detailed Dr Aggett's treatment in detention.

Mr van Heerden was detained in a cell near Dr Aggett.

Dr Williamson said this eyewitness testimony, and that of 70 detainees given to the Detainees' Parents Support Committee, in South Africa showed a consistent pattern of torture.

# MPCs let off 'no permit' hook

Cape Times 24/12/82 329

**Own Correspondent**

PORT ELIZABETH. — Charges have been withdrawn against two of 31 people charged with being in New Brighton illegally after they attended a church service there last Thursday.

Mrs Molly Blackburn, MPC for Walmer, and Mrs Di Bishop, MPC for Gardens, received notification to this effect from Captain R F Berg of the Algoa Bay police station.

Both letters informed them that charges against them had been withdrawn in terms of section 63(2) of Proclamation 188 of 1969.

It appears that membership of the Cape Provincial Council exempts both from the charge.

The acting police liaison officer for the Eastern Cape, Captain Deon van Heerden, said last night he understood there were certain categories of people, such as doctors, who were exempt from the ruling requiring all non-blacks to have permits to be in a black township.

Charges still stand against the other 29 people, including Mrs Blackburn's son and Mrs Bishop's husband.

24/12/82

His detention was a shock, but his parents and friends felt Dr Aggett was so strong that he of all the detainees would be all right in prison.

Breaking into our conversation, Mr Aggett who did not share his son's socialistic beliefs, says strongly: "I saw Neil four months before he was detained. I told him he was working in a sensitive area, and he promised me that he was not breaking the law.

"And I assure you, Neil was not a liar."

The last time Mrs Aggett saw Neil was on New Year's eve when she and her daughter, Jill Burger, went to visit him at John Vorster Square.

"We sat very close to him. Dear Jilly, she made us squash up next to him, and we held his hands. We were't allowed to talk about anything but family matters.

"It was terrible leaving him there, but I never, ever thought that would be the last time I would see him." Again that suspicion of tears.

And again Mr Aggett intervenes.

"To this day, apart from the policemen who told my daughter and us of my son's death, we have heard nothing from the Government. We have had nothing in writing. As far as the Government is concerned, he might be alive."

**JOY AGGETT: "His death has changed my life completely. I am now aware of a new aspect of life in this country."**

"We were shattered, just could not believe he was dead," says Mrs Aggett, gripping her walking stick with arthritic hands. Since that dreadful day of February 5, 1982, Mr Aggett (70) and his wife (65) have flown up and down from Cape Town seven times to attend what may have been the longest and costliest inquest in South African history.

Days stretched into weeks, and then into months of sitting in the Johannesburg Magistrate's Court.

"The inquest will have ripples which will carry on, just as they did after Steve Biko's death. There will be repercussions," says Mrs Aggett, and it is a shock to hear such a gentle woman speak with such force.

"His death has changed my life completely. I am now aware of a new aspect to life in this country."

And whereas before her son's death, she sat in her comfortable house reading mainly biographies (reading is a passion she shared with her dead son), today she reads about trade unions, and about Steve Biko.

"We have now come round more or less to the view that Neil committed suicide, whereas at the start of the inquest we believed he had been killed," she says.

"But we believe circumstances forced him to commit suicide.

"They could not understand my sensitive son, those people," says Mrs Aggett, and there is a sense of unreality about our interview, conducted in a Johannesburg hotel lobby, filled with happy South Africans, rushing in with their Christmas shopping.

Mrs Aggett, who was a librarian for eight years in the Johannesburg Municipal Library before she met her husband on a ship's cruise up Africa's East coast, does not visualise any immediate change in their lives.

"We will return to our life in Somerset West," she says with a sigh of utter exhaustion and depression. And one senses a terrible yearning that the clock could be put back just one year, so that she could again be the mother of three, and not two, intelligent and caring children.

SUE GARBETT

(32) The Argus Friday December 24 1982

# MRS AGGETT'S AGONY

SHE has the unassuming homeliness of the farmer's wife she once was. This impresses those most who meet Mrs Joy Aggett for the first time.

Before her son, Dr Neil Aggett, died in detention, she held no strong political beliefs, she was hardly aware of trade unionism and she would never have described herself as an outspoken person.

She was the wife of a retired Kenyan farmer, living a quiet life with a lot of other retired folk in the pretty town of Somerset West.

Today Joy Aggett can no longer be described as an ordinary mother, for most mothers do not sit as she did this week, in a tightly packed court room listening to a magistrate saying that her son took his own life in a police cell, and that the police could not be held responsible for his death.

Mrs Aggett, mother of the first white person, and the 51st person to die in detention in South Africa, is filled with the instinctive anger of a person who has lost her son in devastating circumstances. There is a despairing grief and bewilderment that have touched those who have met her since Dr Aggett died.

Next week, it will be exactly a year since she and her daughter Jill, last saw Dr Aggett at John Vorster Square in Johannesburg.

Recalling that last meeting, her eyes fill with tears in spite of determined efforts to be brave before the world.

Mrs Aggett remembers her son in the way most mothers do, with that sensitive attention to detail that is their prerogative.

Neil Aggett came into the world, it seems, in the same atmosphere in which he died — one of disquiet and unrest.

Soldiers protected the Kenyan hospital where he was born during the Mau Mau emergency, and policemen guarded the cell where his life ended.

"Although he was only 10 years old when we came to live in South Africa, he must have been aware of the tension in which we lived when he was a baby. We had wire fences around our house and we all carried guns, including me," says his mother.

"We left Kenya because Kenyatta, who was head of the Mau Mau, was made head of State and we simply felt there was no future there for us."

The irony of the situation doesn't escape her, but she does not dwell on it, for although there is the occasional bitter word, she is not given to bitterness.

"He was never a problem child," she says, with some of the bewilderment returning.

"He was good at school, got a first class matric with distinction in maths. He played tennis, liked horseriding, and was captain of the second rugby team at Kingswood College in Grahamstown.

"He hero-worshipped his older brother Michael, and followed in his footsteps in becoming a medical doctor."

She explains that he did not go through the normal adolescent rebellion so many parents encounter.

That "rebellion" came when he moved out of his University of Cape Town Medical School digs and into his own home against his parents' wishes.

"We didn't see that much of him after that, although he used to come out and see me for an afternoon every couple of months. I found him just the same, with his keen sense of humour, and his quietness."

But it was Dr Aggett's move to the Transvaal to do his internship, and his involvement with the trade union movement, that resulted in his seeing much less of his parents.

"We were a little disappointed that he spent so much time with the labour people and so little on his medicine. He worked hard in the union. He and Liz Floyd lived humbly, and we felt his training was being wasted.

"And oh, he was thin. He cared so much for others, he forgot to care [illegible] Mrs

Any distinction will render the candidate liable to disqualification and to possible exclusion from the University

UNIVERSITY OF CAPE TOWN EXAMINATION ARRANGEMENTS EVERY CANDIDATE MUST enter in

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# 6 AWB men given bail of R1 000

ARGUS 24/12/87

1329

**Argus Correspondent**

PRETORIA. — Six members of the Afrikaner Weerstandsbeweging — arrested in a blitz on the group in the past two weeks — were today granted bail of R1 000 each in Pretoria Magistrate's Court.

No charges were put, and they were not asked to plead.

The six are the movement's leader, Mr Eugene Terre'Blanche; executive secretary Mr Jan Groenewald, of Wonderboom Suid; organising secretary Mr Dawid Botes, of Springs; Mr Hendrik Jacobz, of Rustenburg; Mr Jacob Viljoen, of Klerksdorp, and Mr Cornelius Jooste, of Sunnyside, Pretoria.

**"ARMS FOUND"**

They were arrested following the alleged discovery by police of arms caches, including weapons, ammunition and explosives.

The men will appear in Pretoria Magistrate's Court on January 21 on charges under the Explosives Act and the Arms and Ammunition Act.

According to the charge sheet, Mr Viljoen will face four charges and Mr Terre'Blanche two.

**IN GALLERY**

Among those in the packed courtroom were the movement's acting head, Mr Barnie Basson; former chairman of the Herstigte Nasionale Party, Mr Jan Jooste, and HNP Pretoria city councillor Mr Piet Rudolph.

Mr W F Kriegel was on the Bench. Mr L Bolt appeared for the State and Mr Paul Barnard appeared for the defence.

# Ciskei detains

24/12/82

AN 18-YEAR-OLD member of the Congress of South African Students (Cosas) was detained by Ciskei police yesterday afternoon, a trade union official said.

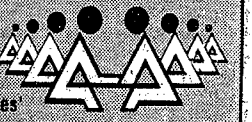
The official said Mr Vuyisile Mati was picked up at 3pm in Mdantsane and a Saawu Cosas T-shirt was confiscated.

Ciskei's head of Security, Lt-Gen C Sebe, said yesterday he had no knowledge of the detention.

# Aggett verdict strengthens the SP

329 Star 27/12/82

**OUR VIEW**



**The Detainees' Parents Support Committee**

The verdict in the Neil Aggett inquest augurs badly for all future detainees as, by his finding, the Magistrate, Mr P A J Kotze, has entrenched the whole detention system as a closed circuit from which there seems no escape nor recourse whatever.

Indeed, one can now well inscribe over the portals of John Vorster Square: "Abandon all hope, all ye who enter here."

The verdict — which could have been written by the Security Police themselves so much does it strengthen their hand — rejects the testimonies submitted by detainees or ex-detainees, while it accepts the solid front of testimonies by members of the Security Police.

It does not even allow for the least iota of doubt that Neil Aggett might have been subjected to any malpractices.

It surmises that Neil Aggett committed suicide because he had betrayed his friends and submitted a list of names, but this alleged document with list of names has not been produced in court, having been ruled privileged information not to be disclosed.

Thus the findings are partly based on alleged facts which, however, have not been substantiated and that seem to emanate from the Security Police as some "Deus ex Machina" to exculpate them from any responsibility in the death of their victim.

Because victim he obviously has been. He would not have died by suicide if he had not been detained.

And, though detained, no proof of any guilt has been produced. Not in the case of Neil Aggett, nor in the case of the other dozen or so trade union executives arrested at the time, all of whom were finally released but for one who, accused in court, was acquitted.

And though in the findings, therefore, no allowance is made for the contention that Neil Aggett was a broken man, physically and mentally, the night he committed suicide ("as none of the Security Police had noticed any change in him") yet it censures at great length Mr Auret van Heerden for not having raised the alarm that Neil Aggett appeared suicidal . . . to the extent that the possibility was weighed of arraigning Auret on a charge of not performing his social duty to prevent a death.

This, really, "takes the cake." Because, in dealing with all the testimonies by the detainees, the findings completely ignore the fact that these emanate from individuals who, for months, had been in solitary confinement, completely at the mercy of the Security Police, and who took great risks in smuggling out notes, or making statements and volunteering to give evidence in court.

For instance, the fact that the findings linger on discrepancies between the wording of the surreptitious note smuggled out of John Voster Square by Mr Morris Smithers, and the sworn statement he subsequently made after his release, casts doubt on the impartial interpretation of the facts.

This finding, in an inquest which has stirred international interest and was followed by journalists from many countries, will — regrettably — not go down as one of the highlights of judicial history in South Africa.

Our deepest sympathy goes out to Neil Aggett's parents, who spent a small fortune in pursuing this inquest to its sorry conclusion, as well as to Neil's friend, Dr Liz Floyd. Let us all continue to revere Neil's memory for the great ideals of brotherhood, relief and truth he tried to express in his too short life.

# Aggett witness sues for R65 000

(329) 29/12/82 Star

Pretoria Correspondent

A prominent witness at the Aggett inquest, Mr Auret van Heerden, has made a R65 000 damages claim in the Pretoria Supreme Court for alleged assault and torture by 10 Security policemen.

Mr Justice T H van Reenen yesterday granted Mr van Heerden permission to serve summonses on the men by substituted service.

In papers before court, Mr van Heerden said this step was necessary because a section of the Police Act could make his claims invalid if the summonses were not served by January 8.

He said he was arrested on September 24 last year and held under the General Laws Amendment Act, the Terrorism Act and the Security Act until his release on July 9.

**THREATS**

He said he was held at John Vorster Square and the Fort in Johannesburg, Pretoria Central Prison, Sandton Police Station and Benoni Police Station, and claimed that during that time he was assaulted or threatened with assault and torture by the men.

He identified the men as Major Arthur Cronwright, the officer in charge of the investigation staff of the Security Police at John Vorster Square; Major Stephanus J P Abrie; Major Johannes Nicolas Visser; Major P P Olivier of the Security Police, East London; Warrant Officer Lawrence Charles Phillip Prince of the Security Police, Springs; Lieutenant Hendrik Cornelius Jacobus Pitout, of the Security Police investigation staff at John Vorster Square; Lieutenant P Botes, of the Security Police, John Vorster Square; Warrant Officer Fourie, of the Security Police, Benoni; Captain Andries Abraham Struwig, of the Security Police, John Vorster Square; and Lieutenant Johan van Aswegen, of the Security Police at John Vorster Square.

**SHOCKS**

Mr van Heerden, of Yeoville, Johannesburg, claimed:

- Over a period of 101 hours he was handcuffed wrist to ankle and, under threat of assault, forced to remain on his feet.
- He was periodically hit over the ears with an open hand.
- For more than three hours he repeatedly had a tight-fitting bag put over his head and face and water was then poured over the bag, causing him to suffocate.
- He repeatedly had electric shocks applied to various parts of his body.
- Threats were made to break his fingers and on one occasion his hand was grabbed and his fingers stamped on

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(329) Star

# Witness sues SP

29/12/82

from page 1

when he tried to remove the bag.

- He was strangled with a wet towel.
- He was pummelled on the head with an open hand.
- He was pulled around by his hair.
- He was kneed in the face.
- He was slapped on the side of the face and pulled by the beard.
- He had the soles of his feet whipped with a sjambok.
- He had his bare feet stamped on.
- His testicles were assaulted and he was struck on various parts of the body with a clenched fist.
- Threats were made to kill him.
- He was forced to stand for eight hours.
- He was deprived of sleep.
- He was subjected to unreasonably severe and prolonged cross-questioning.
- He was held in solitary confinement.

Mr van Heerden is also claiming that Majors Crownright and Abrie, Lieutenants Pitout and Van Aswegan, Captain Strunwig and Warrant-Officer Prince threatened assault, victimisation and reprisals in an attempt to prevent him from reporting his maltreatment and that of Dr Neil Aggett to the visiting magistrate, the Inspector of Detainees, the Deputy Attorney-General of the Transvaal, the District Surgeon and friends and relations.

# Police beat me, says ex-detainee

CAPE Times 30/12/82 329

**Own Correspondent**

JOHANNESBURG. — Mr Auret van Heerden, a former detainee and prominent witness in the inquest on trade unionist Dr Neil Aggett, has instituted a R65 000 damages claim against 10 security policemen who allegedly assaulted and threatened him while he was detained.

Mr Van Heerden said in an affidavit before a Pretoria Supreme Court judge that he refrained from taking action against the police till after his release "out of fear for my own safety and well-being".

Mr Van Heerden said the police threatened him with assault if he reported the maltreatment he and Dr Aggett suffered to the inspector of detainees, the visiting magistrate, the Deputy Attorney-General of the Transvaal, a district surgeon or friends and relatives who visited him.

Mr Justice T H van Reenen this week granted Mr Van Heerden permission to serve summons on the police by means of substituted service.

## Time bar

Mr Van Heerden said in papers before court that his claims would become time-barred in terms of the Police Act if the summonses were not served before January 8.

Mr Van Heerden alleged that:

- His wrist was handcuffed to his ankle and he was forced to remain standing for about 10 hours.
- A tight-fitting bag was pulled over his head and water was poured over it, causing him to suffocate.
- His fingers were stamped on when he tried to remove the bag. This lasted more than three hours and police threatened to break his fingers when he tried to remove it.
- He was repeatedly given electric shocks on various parts of his body.
- He was hit over the ears with an open hand, kneed in the face, pulled around by his hair and beard and the soles of his feet were beaten with a sjambok.
- He was strangled with a wet towel.

He said the assaults occurred between November 18 and 20, 1981, and he named the police officer in charge of the investigation staff of the security police at John Vorster Square, Major Arthur Benoni Cronwright, as one of the policemen involved in the assaults.

## 'In charge'

The different acts had been committed by various members of the security police at different places and times but Mr Van Heerden said Major Cronwright was at all times in charge of his detention and interrogation and he was able to prevent policemen from maltreating him.

Mr Van Heerden filed four separate claims against different groups of policemen but he said they were "acting in concert with common purpose and they are jointly and severally liable for the plaintiff's aggregate damage".

The other policeman named in the papers are: Major Stephanus J P Abrie, Major Johannes Visser, Captain P P Olivier of East London, Warrant Officer Laurence Charles Philip Prince of East London, Lieutenant Hendrik Cornelis Jacobus Pitout of John Vorster Square, Lieutenant P Botes of John Vorster Square, a Warrant Officer or Mr Fourie of Benoni, Captain Andries Abraham Struwig of John Vorster Square and Lieutenant Johann van Aswegen of John Vorster Square.

Mr Van Heerden was arrested on September 24 last year in terms of the General Laws Amendment Act, the Terrorism Act and the Internal Security Act and released on July 9 this year.

# Sibeko released from detention

ZWELITSHA. — The former chairman of the Border Council of Churches, the Rev Themba Sibeko, has been released from detention.

Mr Sibeko was detained last month by the Ciskei Security Police under the country's security laws.

His release was confirmed by his wife, Mrs Sybil Sibeko. — Sapa.

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30/12/82

UNIVERSITY OF CAPE TOWN

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RAND DAILY MAIL, Thursday, December 30, 1982

# Aggett inquest witness sues SP for R65 000

By JOUBERT MALHERBE
Pretoria Bureau

A FORMER detainee, Mr Auret van Heerden, has instituted a R65 000 damages claim against 10 Security Policemen who allegedly assaulted and threatened him in detention.

Mr Van Heerden was a prominent witness in the inquest into the death in detention of trade unionist Dr Neil Aggett.

As well as alleging severe assault by the police, Mr Van Heerden said in an affidavit before a Pretoria Supreme Court judge he had refrained from taking action against the police until after his release "out of fear for my own safety and well-being".

Mr Van Heerden said in his affidavit the police had threatened him with assault if he reported the maltreatment he and Dr Aggett had suffered to the Inspector of Detainees, the visiting Magistrate, the Deputy Attorney-General of the Transvaal, a district surgeon or friends and relatives who visited him in detention.

Mr Justice T H van Reenen this week granted Mr Van Heerden permission to serve summons or ... by substituted service.

Mr Van Heerden said in papers before court his claims would become time barred in terms of the Police Act if the summonses were not served before January 8.

Mr Van Heerden made the following allegations:

- He was forced to remain standing for about 10 hours with a wrist handcuffed to an ankle.
- A tight-fitting bag was pulled over his head and water was poured over it causing him to suffocate;
- His fingers were stamped on when he tried to remove the bag;
- This lasted more than three hours and police threatened to break his fingers when he tried to remove the bag;
- He was repeatedly given electric shocks on various parts of his body;
- He was hit over the ears with open hands, kneed in the face, pulled around by his hair and beard and the soles of his feet were beaten with a sjambok:
- He was forced to remain standing for eight hours under the threat of assault, and;
- He was strangled with a wet towel.

The assaults allegedly occurred between November 18 and November 20, 1981 and the police officer in charge of the investigation staff of the Security Police at John Vorster Square, Major Arthur Cronwright, is named as one of the policemen involved in the assaults.

In other instances Mr Van Heerden alleged his testicles had been assaulted.

Mr Van Heerden filed four separate claims — totalling R65 000 — against different groups of policemen.

The other policemen named in the papers are: Major Stephanus J P Abrie, Major Johannus Nicholas Visser, Captain P P Olivier of East London, Warrant Officer Laurence Charles Phillip Prince, of East London, Lieutenant Hendrik Cornelius Jacobus Pietout of John Vorster Square, Lieutenant P Bothes, of John Vorster Square, a Warrant Officer or Mr Fourie of Benoni, Captain Andries Abraham Struvig of John Vorster Square and Lieutenant Johann van Aswegen of John Vorster Square.

Yesterday Mr Justice Van Reenen said it would probably "take months" before the case was actually heard.

NOTE

1. Th... on the right hand pages will be marked. The left hand pages may be used for rough work, but no credit will be given for such work.
2. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering.
3. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
4. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator
3. No part of an answer book is to be torn out.
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

**Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University**

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# Ciskei in 'raids on ANC'

CAPE TIMES 31/12/82

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Staff Reporter

ARMED troops of the Ciskei para-military forces swooped on homes in Mdantsane township near East London early yesterday, detaining one man, questioning at least three others and seizing an undisclosed quantity of literature.

The commander-general of Ciskeian State Security, Lieutenant-General Charles Sebe, confirmed that an official of the Border Council of Churches, Mr Mzwandile Msoki, had been detained in the 1am raids.

## People questioned

He alleged the raids were aimed at "ANC cells" and was "not prepared to give details" beyond that "a number of homes were raided and many people questioned".

Mr Msoki was previously detained in June this year, and was later released without being charged.

The East London branch secretary of the African Food and Canning Workers' Union, Mr Bonisile Norushe, said yesterday that he was woken about 1am by a hammering on his door.

"A jeep-load of soldiers in military uniform surrounded my house and entered. They questioned me, my mother and Ms Zodwa Mapela of the United Women's Organization, demanding to know what organizations we belonged to, and insisting I was a member of the ANC."

The general secretary of the Food and Canning Workers' Union, Mr Jan Theron, said yesterday that it seemed as if Ciskei was "intent on conducting a reign of terror against trade unions".

"Statements by Lieutenant-General Sebe that the unions are ANC front organizations are utterly ludicrous smears and without any truth," he said.

## Cheap labour

The union would consider "any means we have to expose the actions of Ciskei against the unions, including approaching international finance which Sebe is trying to attract through his offers of cheap labour".

Mr Norushe was released from prison in April this year after 12 months' imprisonment for refusing to give evidence in a security trial.

Before his imprisonment he was detained for more than six months under Section six of the Terrorism Act, detained for almost a month in June this year, and his house was raided this month.

# BCC man detained in security raid

329 405 D. Dispatch 31/12/82

MDANTSANE — Ciskei security policemen and members of the armed forces raided several homes here early yesterday morning.

In the raid a field worker of the Border Council of Churches, Mr Mzwandile Msoki, was detained, the Commander-in-Chief of State Security in Ciskei, Lieutenant-General Sebe, confirmed.

The branch secretary of the African Food and Canning Workers Union (AFCWU), Mr Bonisile Norushe, said two policemen and soldiers "armed to the teeth" searched his home and that of Miss Zodwa Mapela, local chairman of the United Women's Organisation at 1 am.

He said the men first went to Miss Mapela's Zone 13 home and confiscated a copy of Gold and Workers, a publication that traces the movement of blacks from the land to the mines.

Mr Norushe said the men asked him when he was going to stop his "congress" activities.

"They also woke my mother and asked her to which organisations she belonged because her son was engaged in 'congress activities'," Mr Norushe said.

This was the second raid on Mr Norushe's home this month.

General Sebe said his men were not concentrating on trade unionists in their raids.

He added Mr Msoki and two former Fort Hare students, Mr Sonwabo Archibald Sobukwe and Mr Cunningham Ncukana, were the only people in detention in Ciskei yesterday.

Three unionists — Mr Godfrey Shiba, Miss Veronica Ntozini and Mr Sebenzile Mdyogolo — were released yesterday, General Sebe said.

Mr Shiba and Miss Ntozini were detained at a funeral in Mdantsane on October 10 and Mr Mdyogolo was detained early this month. — DDR

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