

TOTALITARIANISM-DETENTION

1984

JANUARY — FEBRUARY

# Lecturer predicts year of struggle

Mail Reporter

POLITICAL struggles in South Africa will intensify in 1984 and repression will increase.

This is according to Wits lecturer and member of the Detainees' Parents' Support Committee, Mr David Webster.

Speaking on Capital Radio last night, Mr Webster said he anticipated more detentions and bannings in 1984. Last year more than 400 people were detained in South Africa under security legislation, according to the DPSC.

This figure varies from that released by the Institute of Race Relations, which claims 203 people were held. The police would not release their figures.

In 1983 Section 50 of the Criminal Procedure Act was also used to arrest people who would normally have been held under security legislation.

Mrs Sheila de Beer, another member of the DPSC, said security legislation was in this way being disguised by the fact that police were holding people for five to six hours.

(3290168)  
**Detained**

**youth  
released  
again**

MDANTSANE — A 19-year-old youth, who was re-detained in Ciskei after being released on bail on an arson charge, was released on December 9, his mother said yesterday.

Mr. Mvuyo Malgas, a matric pupil at Wongaletu High School in Mdantsane, when he was arrested at his home by vigilantes last August, was allegedly held at the Sisa Dukashe Stadium during part of his detention.

His mother, Miss Sylvia Malgas, said her son had been released on bail in October after appearing with three others on a charge of arson.

"He was arrested a few days thereafter in spite of the fact that he was out on bail," she said.

Miss Malgas said her son had suffered severe injuries from assaults he allegedly sustained while held at the Sisa Dukashe Stadium.

She said his release on August 9, which had been preceded by many letters to the Daily Dispatch and other South African newspapers, from overseas organisations, followed representations she had made to Ciskei security authorities about his health following alleged assaults at the stadium during his first stint in detention. — DDR

day, January 5, 1984

# Finney to star in Biko movie

London Evening

LONDON. — British stage actor and international movie star Albert Finney will play the part of Sydney Kentridge in the new film "The Biko Inquest", which begins filming at Riverside Studios on January 31.

It has been written by South African John Blake and Scotsman Norman Fenton, both experienced BBC documentary writers.

Finney will also direct for United British Artists, the company formed last year by Finney, Glenda Jackson, John Hurt, Richard Johnson, Diana Rigg, Maggie Smith, director Peter Wood and producer Peter Shaw.

Richard Johnson will play the part of Dr Colin Hersch, giving medical evidence. Nigel Davenport is Colonel Pieter Goosen, Michael Gough is Professor Johann Loubser, Edward Hardwicke, son of the late Sir Cedric, is Professor Neville Proctor, and John Standing is Advocate Rietief van Rooyen.

UBA has announced a full slate of movie and TV projects for production this year. At the same time they have announced that writer-director Harold Pinter has joined their board and has already been invited to write a screen play for the company.

The schedule includes four movies, one already completed, "Champions", starring John Hurt as the winning jockey of the Grand National.

UBA and Britannia Films and TV will jointly make "Turtle Diary", based on the Russell Hoban novel, with screenplay by Pinter.



## Union organiser arrested in Brits

329 <sup>stew</sup> <sup>11/1/84</sup>  
~~Labour Reporter~~  
A union organiser and a member of the Metal and Allied Workers Union were arrested by Security Police and charged with trespassing at a Brits factory yesterday morning after trying to persuade striking workers to return to their jobs, says a union spokesman.

Mawu has accused the South African Police of blatant interference in labour affairs.

A union organiser, Mr David Modimoeng, claimed he had been given access to RAH Products to address workers who had gone on strike on Monday over the dismissal of Mr Edward Mokgatloane.

Security policemen watched while the company representative signed off Mr Mokgatloane, and asked whether Mr Modimoeng had permission to be on the premises. The management representative allegedly said he had not.

Police have been asked for comment.

The strike, accompanied by a strong police presence, is the second in the Brits area in a week.

About 450 workers at the Rako metal plant went on strike last week over the dismissal of a colleague, but returned on Monday when he was temporarily reinstated pending an inquiry.

2 The Cape Times, Friday, January 13, 1984

# 'Unknown persons' killed detainee

From TONY WEAVER

WINHROEK. — The body of an 18-year-old Ovambo schoolboy was found lying on the SVA/ASA border with two bullet wounds in the chest six days after he was detained for questioning by the police special counter-insurgency unit, Koevoet.

"Unknown persons" were responsible for Leonard Kamati's death.

Leonard Kamati was detained on December 21 1982 for questioning in connection with alleged help to Swapo guerrillas.

On December 27, his uncle, Mr. Seta Andreus, found Kamati's body lying on the Angolan side of the border with two bullet wounds in the chest, behind the right arm. He buried the body where he found

it.

Warrant Officer Thomas Kanove of Koevoet told the court that during questioning the boy had revealed the names of Swapo saboteurs, including his own brother, codenamed Automatic.

Warrant Officer Kandave testified that he was then taken from the village of Onigwelume to Oshankati, where he was questioned further.

During this interroga-

tion, Warrant Officer Kandave said, Leonard said he had, in the past, acted as a guide for Swapo saboteurs.

Warrant Officer Gert Greyling was then ordered by Captain Joos Engelbrecht to take Leonard into the bush and "set him free".

Warrant Officer Greyling said he had taken the boy into the bush from his home kraal because he feared retaliation by Swapo guerrillas.

The next day the body was found.

Captain Engelbrecht said the boy had been murdered by Swapo guerrillas in an attempt to place the security forces in a bad light.

Answering allegations by Leonard's father, Mr. Jerobeam Kamati, that his son could have been murdered by the police, Warrant Officer Greyling said an investigation of the site where the body was found revealed the freshly-

slaughtered carcass and cooked remains of an ox.

The Security Force would not slaughter an ox because they were supposed to eat fresh meat and fat, Warrant Officer Greyling said.

Captain Engelbrecht also said that the Kamati family employed corporal relations with Swapo guerrillas and that was why the body had been buried by the boy's uncle, instead of the police first being informed of the death.

## SP seize 2 more Sebes

329 Mail Correspondent 107

EAST LONDON. — Mr Kama Sebe, the 18-year-old son of the former Ciskei Minister of Transport, Mr Namba Sebe, has been detained by Ciskei Security Police, his father confirmed yesterday. RDM 13/1/84

Also reported to have been detained was his niece, Miss Notobhi Sebe, and Miss Bukelwa Menye, a bank employee in King William's Town.

# Namba Sebe says son detained

EAST LONDON — Mr Kama Sebe, the 18-year-old son of the former Ciskei Minister of Transport, Mr Namba Sebe, has been detained by Ciskei security police, his father confirmed yesterday.

Mr Sebe said he had sent his son to the family farm on Wednesday afternoon.

"I received a telephone call from the Zwelitsha police at about 5 pm and was asked to come and fetch my car," Mr Sebe said.

He said he had asked the police where his son

was and was told he had been detained by the security police.

Also reported to have been detained was his niece, Miss Notobhi Sebe.

A relative said security police had called at her home on Wednesday at 2.30 am. When they did not find her there they went to her uncle's place and took her away.

A third person reported detained in Ciskei early on Wednesday morning was Miss Bukelwa Menye, a bank employee in King William's Town.

A relative said she had been detained early on Wednesday morning and a colleague at the bank said she had not reported for work on Wednesday and yesterday. She said she did not know where she was.

Both Mr Sebe and Miss Sebe were held during September and October last year. Mr Sebe was held for a month and Miss Sebe over a weekend.

The head of Ciskei security police, Col. Z. Makuzeni, could not be contacted for confirmation of the detentions yesterday. — DDR

13/1/84

## Detained cleric will miss key church gathering

By MAURITZ MOOLMAN

THE Southern African Catholic Bishops' Conference (SACBC) is pessimistic over the chance to have their general secretary released from detention before the start of this year's plenary session.

"An enormous cloud is likely to loom over this 1984 conference by the absence of Father Smangalis Mkhathshwa, who has been in detention in the Ciskei since October 30, 1983," the general secretariat of the SACBC said in a statement yesterday.

"Even at this eleventh hour, the bishops and the conference staff still continue to hope and pray that by some miracle he might still be with us."

It was announced that the ordinary plenary session of the SACBC will be held at St John Vianney Seminary, Waterkloof, Pretoria, from January 24 to February 1.

Key items on the bishops' agenda include a

pastoral plan for evangelisation in a constantly changing situation, a study of forced removals and resettlements and the problems of migrant workers and farm labourers.

The conference will also discuss the launch of a national Catholic newspaper and the setting up of a structure for the training of Catholic teachers.

About 35 bishops will attend the opening mass, which will be sung by the clergy and St Anne's Church Choir, Ateridgeville.

The Apostolic delegate, Archbishop E Cassidy, will give the opening address, and the SACBC president will report on the main activities of the organisation during the past year.

Church leaders from SWA/Namibia, Botswana, Swaziland and South Africa as well as delegates from the neighbouring episcopal conferences of Lesotho and Zimbabwe will attend the plenary session.

EAST LONDON — The former commander-in-chief of the Ciskei combined armed forces, Lieutenant-General Charles Xhanti Sebe, is due to appear in the Zwellitsha Magistrate's Court on Monday.

This was disclosed yesterday by the Ciskei police liaison officer, Major Avery Galelekile Ngaki, who said the former general would appear in court on January 16, as the police investigations have been completed and a copy of the charge sheet had been sent to the attorney-general.

## Charles Sebe in court Monday

329 45 14/1/84

General Sebe's legal representative, Mr D. M. A. Kirk, said yesterday that he had not been informed about his client's impending appearance in court.

Mr Kirk said he had had talks with the Ciskei Attorney-General, Mr W. F. Jurgens, and there had been no mention about Mr Sebe's appearance in court on Monday.

General Sebe, who was

the head of state security has been in detention for almost six months. He was detained together with his adviser and consultant on state security, Major-General Taillefer Minnaar on July 19 last year.

They were detained after Ciskei's president, Chief Lennox Sebe announced that a plot to assassinate him had been uncovered. — DDR

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## Police exonerated after torture probe

6. mine 15. 11. 84  
ALLEGATIONS of torture and intimidation of civilians in Owambo by the special police unit Koevoet, were "unsubstantiated and untrue", a senior police officer said at Lauberville in the territory today.

Lieutenant-General Victor Verster said three senior South African police officers had investigated allegations of atrocities against and the torture of the local Ovambo population by the Koevoet unit of the SAP in the operational area.

General Verster is the Deputy Commissioner of Police in charge of personnel and administration.

He said Koevoet was a "cold, calculating, efficient and very ruthless unit as far as the enemy is concerned."

"But as far as the local population is concerned, I ask you the question, why do you think Koevoet has had so much success?"

"Because we have the

complete co-operation of the local population who give us hot information on which Koevoet acts immediately."

General Verster was speaking to a group of political correspondents who had just completed a week-long tour of the operational area.

### Investigated

Each allegation made against anti-insurgency units in general and Koevoet in particular was investigated from "an entirely neutral point of view and we have arranged with SWA police and their CID that every allegation is handed over to them."

"They then open a criminal document and investigate the matter as they would do any other case."

Senior officers of the SAP also sat on a joint committee comprising local leaders and other security forces which dealt with the allegations, the General said. — Sapa.



319 S. 47/12/84 15/1/84

# SWA security laws probe starts in March

By DAVID PIETERS

WINDHOEK — The five-man commission on Namibian security legislation will begin its inquiry early in March. People who want to testify have until the end of this month to submit memoranda. Several political leaders have already indicated they are interested in testifying.

The inquiry comes at a time when security legislation in Namibia has come under increasing pressure in the courts, and has been criticised by politicians, church leaders and lawyers.

The SWA Bar Council (Society of

Advocates) called for a probe in December, 1982.

The commission was appointed by the Administrator-General, Dr Willie van Nierck.

The Council of Churches in Namibia has rejected the commission's terms of reference.

# Ciskei officer held after death report

*D. Diputhe*  
*17/11/84*  
*329*

BISHO — A Ciskei army officer has been arrested in connection with investigations into an allegation of murder involving the death of a man from the Middledrift district, the Ciskei Police public relations officer, Major Avery Ngaki, said yesterday.

Major Ngaki said the officer had been arrested at Whittlesea after police had received a report about the death of Mr Boyce Mpetsheni, 31, of Cil-



MR MPETSHENI

dara, Middledrift.

He said Mr Mpetsheni had been taken from his

home to the Kama military base in the Whittlesea district. He was reported dead last Thursday.

A relative of the dead man said Mr Mpetsheni was taken away by three army men who had arrived in an army truck and searched his home last Thursday.

He added the men had told them they were looking for stolen goods. — DDR.

# Charles Sebe in court scuffle

Own Correspondent

EAST LONDON — A scuffle broke out in the Zwelitsha Magistrate's Court yesterday when Ciskei's former head of security, Lieutenant-General Charles Sebe, tried to greet his mother but was bundled out of the courtroom by policemen.

General Sebe, dressed in a fawn suit and chocolate-brown wide-brimmed panama hat, was forced down the steps to the cells below as the packed courtroom surged forward.

The former all-powerful head of State security and younger brother of President Lennox Sebe majestically swept off his hat in greeting to his wife, Nomafakathi, and waved to the crowd as he entered the courtroom.

He appeared in connection with charges under security legislation. The case was postponed to February 10.

General Sebe and other high-ranking security officers were detained in July when Chief Lennox Sebe cut short an overseas trip amid rumours of political upheaval in the territory.

After the brief hearing, General Sebe greeted his brother and former Minister of Transport, Mr Namba Sebe, who is on R10 000 bail and faces fraud and corruption charges.

He then tried to greet Mrs Maggie Sebe but was held back by policemen. "I'm only trying to greet my mother," General Sebe said, but was hastily bundled down the stairs to the cells as the crowd surged to the dock.

Members of the public began gathering at the Magistrate's Court at 9 am yesterday and plainclothes and uniformed policemen maintained a strong presence.

Scuffle <sup>Argus</sup>

as

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From BARBARA HART  
Argus Bureau

EAST LONDON. — A scuffle broke out in the Zwelitsha Magistrate's Court when Ciskei's former head of security, Lieutenant-General Charles Sebe, tried to greet his mother but was bundled out of the courtroom by policemen.

General Sebe, immaculately dressed in a fawn suit and chocolate-brown wide-brimmed hat, was forced down steps to the cells below the court as the crowd surged forward while he tried to greet his mother, Mrs Maggie Sebe.

The former all-powerful head of state security and younger brother of President Lennox Sebe swept off his hat in greeting to his wife Nomafakathi and waved to the crowd as he entered the courtroom.

#### OVERSEAS TRIP

He appeared on charges under the National Security Act, but no formal charges were put to him. The case was postponed to February 10.

General Sebe, with other high-ranking security officers, was detained last July when Chief Sebe cut short an overseas trip amid rumours of political upheaval in the territory.

After the brief hearing General Sebe greeted his older brother and former Minister of Transport, Mr Namba Sebe, who is on R10 000 bail and is facing charges of fraud and corruption.

#### HELD BACK

He then tried to greet his mother but was held back by policemen. "That is enough," one policeman said.

"I'm only trying to greet my mother," General Sebe replied but was hastily bundled down the stairs to the cells as the crowd surged closer to the dock.

People began gathering at the magistrate's court at 9am yesterday and packed the courtroom for the afternoon hearing. Many plainclothes and uniformed policemen were in the court during the hearing.

329  
Relative: *D. J. M. K.*  
18/184  
**man held**

MDANTSANE — A former member of the defunct Ciskei Central Intelligence Services, Captain Joseph Ntwasa, was reported to have been detained in Ciskei yesterday.

A relative said that members of the Ciskei Security Police called at his Zone 10 home in Zwelitsha on Monday night.

When they did not find him, they left a message that he should call at their offices yesterday morning, the relative said.

She added he had called but did not return. —  
DDR.

## PHONE NUMBERS

Classified Ads . . . 32330  
All other Eds . . . 26141  
Depts . . . 26141  
King William's  
Town . . . 23282  
Mossburn . . . 41  
Queenstown . . . 4040  
Umtata . . . 2500

Wednesday, January 18, 1984

Founded 1872

**KING WILLIAM'S TOWN** — The head of the security police in Ciskei, Col. Z. Makuzeni, confirmed the detention yesterday of Mr Namba Sebe, former Minister of Transport in Ciskei.

Col Makuzeni would not say under which Act Mr Sebe, brother of Chief Lennox Sebe, the President of Ciskei, had been detained.

He said: "I can con-

## Namba Sebe detained 18/1/84

firm that we have arrested him but we are still working on the details of that."

A relative said Mr Sebe was taken from his Tshatshu home near

Zwelitsha early yesterday afternoon. She added she did not know the names of the policemen who took him away.

Mr Namba Sebe is due to appear in court tomorrow on charges of fraud and corruption.

He had been released on R10 000 bail.

In terms of his bail conditions he was required to report to the police in Zwelitsha daily.

He was also barred from communicating with any state witnesses.

Mr Sebe was detained in September and released on December 21 last year. — DDR.

## Live pigs

**CAPE TOWN** — A Plett forced to kill six of his pigs after they had wandered off "chunks of flesh" had animals.

A police spokesman said reported the incident to the

The six pigs had apparently onto a municipal common recovered later it was discarded "chunks of flesh" off

# Plan to blacklist firms

**UNITED NATIONS** — A United Nations body is preparing a "blacklist" of multinational companies that, it says, are exploiting the resources of South West Africa and bolstering South Africa's presence there.

A draft handbook, prepared by the United Nations Council for Namibia, lists 11 such companies based in Western Europe, 10 in North America and 24 in South Africa.

"It is the objective of this book to expose the activities of those foreign corporations which exploit the Namibian resources and whose investments continue to support the illegal South African presence there."

tions involved in Namibia, the largest investment comes from the Anglo-American Corporation through its affiliate, De Beers."

De Beers Consolidated Mines, which has its marketing arm in London, controls 80 per cent of the world's diamond output.

Other major South African companies in SWA/Namibia include Federale Volk-

can corporations involved in the territory are interwoven with each other and their subsidiaries through a complicated network of intermediate companies, minority or reciprocal shareholding, and overlapping directorates, it adds.

"This book shows the awesome economic power of transnational corporations which continue to exploit Namibia's resources."

## Moss

**JOHANNESBURG** — Acting skipper Alvin Kallieha fessed yesterday his heart beating faster than was good as his side took a thrilling victory over the Springboks the four-day series at one-

"My heart is not too moment," said the little le-

"I've played 66 official Test career but this was the nerve-wracking game I've c-

Starting the day at 180 for needing another 24 runs to visitors took a little more minutes and 6.2 overs to clin-

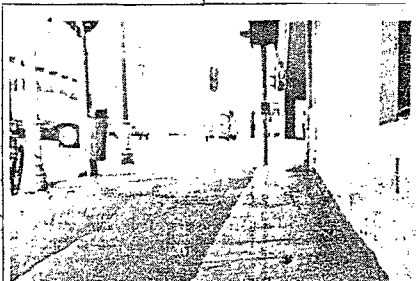
The winning runs came off big paceman Sylvester Clammered an overpitched Kenny Watson to the boundary.

The Windies finished on nine and Clarke, with a quered 23 after he had begun with his score on seven.

"It was tremendous cricket game fluctuated from one to other all along the line," charran.

Skipper Rowe toasted the beer and joked that the would captaincy permanently charran.

"I was going to stay at the



ONE TIME 18/4/84 229  
Second Sebe brother held

ZWELITSHA. — A second brother of Ciskei's President Lennox Sebe was yesterday detained by Ciskeian security police.

Mr Namba Sebe, the independent black state's former Minister of Transport, was arrested yesterday. Lieutenant-General Charles Sebe, once the country's top policeman, went on trial on Monday charged with treason.

Mr Namba Sebe was recently released on bail of R10 000 after appearing on charges of fraud and corruption. — Sapa

ZWELITSHA — The State intended applying for the withdrawal of the R10 000 bail granted to former Ciskei Minister of Transport, Mr Namba Sebe, a prosecutor, Mr P. C. Oosthuizen, told a magistrate's court here yesterday.

Mr Oosthuizen said the application should be made because the State believed Mr Sebe had not complied with the bail conditions laid down by the court when he was released.

He said Mr Sebe — who was arrested on

Tuesday — was now being held under Section 26 of the National Security Act.

He added the defence had been informed of the State's intentions.

Mr D. Kirk, who appeared for Mr Sebe, confirmed he had been informed of the State's

## Namba Sebe may lose bail

any court from giving any ruling on the continued detention of anyone.

Mr M. Z. Ngoqo, the presiding magistrate, said the matter was being set down for hearing at 11.45 am on Monday.

He said Mr Kirk had informed him he intended briefing Senior Counsel on the matter. —

DDN



329 11A 405  
S. Post  
21/1/84

## Leading UDF man released

KING WILLIAM'S TOWN

— The president of the United Democratic Front for the Border region, Mr Steve Vukile Tshwete, was released from detention yesterday after four months.

Mr Tshwete, a former member of the banned African National Congress who spent 15 years on Robben Island after being convicted of furthering the cause of the ANC, had been held at Mdantsane police cells under Section 26 of the Ciskeian National Security Act. — Sapa

● Although figures are difficult to obtain, a Weekend Post investigation has found that at least 50 people are still in detention in Ciskei. See Page 13 today for the full report.

2/1/84

charged with persuading people to undergo military training and their case as postponed to January 31

21/1/84

main unknown.

Gen Sebe's appearance was expected to be the first of several by an unknown number of Ciskei detainees who have been held incommunicado without being brought to trial for periods ranging from mid-July to January this year.

Attempts this week by the Weekend Post to get confirmation from security police in Ciskei of the number of people still in detention in Ciskei were unsuccessful.

Even from newspaper files it was not possible to piece together a full list of detainees in detention because not all detentions and releases have been disclosed by the authorities.

However, it is clear that at least 50 people remain in detention in Ciskei.

Ciskei's former Minister of

appeared on an arson charge, 10 were charged with incitement and one with malicious injury to property.

On October 6 it was reported that Mr Kama Sebe, the teenage son of the detained Mr Namba Sebe and President Lennox Sebe's nephew had been detained by Ciskei security police.

Kama joined his father and brother, Colin, a lieutenant in the Ciskei Defence Force in detention.

He was the sixth Sebe family member to be detained.

On October 4 it was reported that the Ciskei Government had obtained the services of two advocates from the Johannesburg Bar to prosecute in the cases of the police and army officers detained in July.

On October 3 it was reported that two Ciskei de-

tainees to be held for an indefinite period.

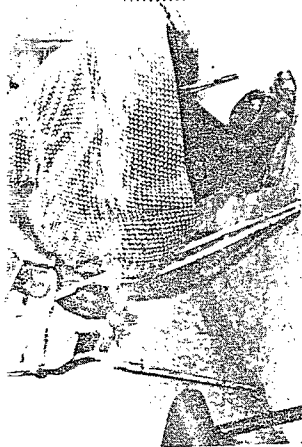
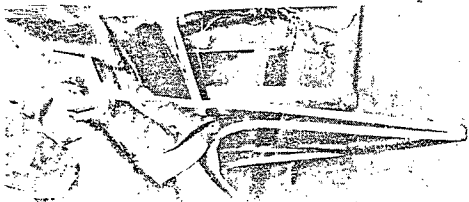
Father Mkhatswha was detained after addressing a meeting of the Students Christian Movement at Fort Hare University. He appeared in court in Alice yesterday.

On October 28, the Ciskei's head of security police, Colonel Zebulun Makuzeni, confirmed the detention of security police officer Captain Phumelele Landu, also under Section 26.

Capt Landu was once a right-hand man of Lt Gen. Sebe.

In the same report it was claimed that 13 police officers were presently in detention in Ciskei.

On October 20, a report quoted the Ciskei police and hospital authorities as refusing to comment on the

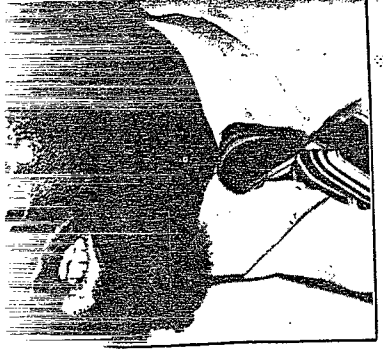


★ "Forty-winks" has become the operative word for "waiters" with a difference at new Soweto mayor Ephraim "Epi" Tshabalala's backyard offices in Motolo Village these days.

People trek from far and wide to see the new community chief about noisy neighbours, electricity bills or other problems.

But sometimes the wait is just too much, and sleep is the only answer — as you can see from these pictures by City Press photographer PETER SETUKE.

# ILL-OF AGONY



FORMER soccer boss Kgomo's 'Tso' Modise this week spoke for the first time of how he was gunned down by a would-be assassin on New Year's eve and confirmed that a bullet in his spine had paralysed him.

## Durban church worker held

POLICE have confirmed the detention of a Durban churchworker under the Internal Security Act. Ms Nondle Matutu, 22, is an intimate friend of another detainee, Diakobe Ben Martins, who was detained with 10 others in Edendale last year.

Ms Matutu has been involved in training Christian youth workers in the National Youth Leadership Training programme under the auspices of the Methodist Church for three years. She was picked up at her Durban office on January 3.

## One man, one wife it's cheaper

By ZB MOLEFE

MEN with lots of wives effectively dependent on you, only those born out of your first marriage will be counted as dependents, and qualify for a March 1 when the uniform tax system is introduced for all races.

If, for example, you and four of your wives are all working, your large family will find itself filling in no less than three income tax forms every year.

The National African Chamber of Commerce thought you would be

## EXCLUSIVE

BY DESMOND BLOW

He said: "Several bullets hit me in the bottom part of my body and one is lodged in my spinal column."

"Doctors are at present meeting to decide whether to give me a second operation in an attempt to remove the bullet in my spine in the hope of restoring feeling in my legs," Modise said he was feeling terrible.

And he looked it. He was lying flat in one position and never stirred during the interview.

He seemed to have difficulty keeping his eyes open, and spoke barely above a murmur. Scores of get-well cards are stuck on the idea who would want

Tso Modise pictured in happier times.

him dead, he replied: "No, I don't, and even if I did I am not likely to disclose it while I am lying here."

"I have few enemies. Not even in my days as a soccer player did I make many enemies."

Because Mr Modise's life may still be in danger from the killer, City Press has decided for security reasons not to disclose the name of the nursing home where Mr Modise is a patient.

## He's no lady

A COURT has awarded a man in Morait, Western Province, R750 damages after an airline rejected him for a job as and air hostess on the grounds he was not a woman.

resh from his body by (105) City Press

**7 held  
by Venda  
since  
November**

22/1/84  
City Press

THE Azanian People's Organisation (Azapo) this week condemned the detention of a former Writers' Association of South Africa member and six other people who have been detained in Venda since last year.

Poet Robert Ratshitanga was detained in November for allegedly

harbouring guerillas, along with Mr Petros Mudziela, Mr Samuel Tshikundo, Mr Alfred Themga, Mr Samuel Ramamba, Mr Ronald Makomu and Mr Wilson Sinyengwe.

Venda security chief Brigadier M Ramabulana said after their arrest that if charges could not be formulated against them, the seven would be released immediately. But they are still in prison.

Azapo president Lybon Mabasa said this week: "Detention and death in detention are common happenings in the so-called independent states. Venda and the Ciskei have been leading the field in crimes against humanity."

## Number two for Namba

THE re-detention of former Ciskei Minister of Transport, Mr Namba Sebe, this week, has baffled his family who say he had complied with all the conditions of his R10 000 bail.

Meanwhile, Colonel Zebulon Makuzeni, the Ciskei head of the Security Police, is keeping mum on why they detained Mr Sebe — a brother of President Lennox Sebe.

Also re-detained is Captain Joseph Ntwasa who was on R100 bail following the massive clampdown on numerous top security and army personalities last July.

Captain Ntwasa was due to appear in court on Monday with two other former members of the defunct Intelligence Services, Sergeant Arthur Ulana and Warrant Officer Thozamile Mathenjwa, on an assault charge.

Mr Sebe was picked up from his home in Tshatshu near Zwelitsha, said his relatives.

He is charged with fraud and corruption.



General Charles Sebe consults attorney Dennis Kirk during his brief court appearance this week.

# Charles gets roughed up —'cos he loves his mom!

By BENITO PHILLIPS

**CHARLES** Sebe's love for his mother earned him a going-over from his former colleagues when the deposed Ciskei security chief appeared briefly in court this week.

General Sebe — detained more than six months ago after allegedly plotting to overthrow his brother Lennox — scuffled with security policemen after he tried to talk to his mother

there was a scuffle as one security cop pulled out his service revolver.

The hundreds of people in court dived for cover, and General Sebe was pushed down the steps leading to the cells asking: "Are you going to beat me?"

In his wake, he left a shocked courtroom — and his family too

finalised, and the case was postponed to February 10.

The general's attorney, Dennis Kirk, told the magistrate he would not make any submissions.

Mr Oosthuizen handed in a certificate from Ciskei attorney-general W F Jurgens asking that bail be refused, and disclosed

to spectators when he was whisked away, amid loud cheers from a crowd gathered outside the court building.

Security was tight, with roadblocks on roads leading to the Zwelitsha courts.

Police searched all vehicles entering the area; and there were also policemen at entrances to the courtbuilding.

around the dock.

President Lennox Sebe has meanwhile told his cops to "get tough" to avoid incidents like the scuffle with General Charles Sebe.

Such an incident would not have occurred if the police acted firmly, he said at a ceremony in Bisho, where the SA Government handed over 11 cop vans to the Ciskei Police.

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~~SEBE~~

~~SEBE~~

City Press 22/1/84

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He is charged with fraud and corruption.

General Charles Sebe consults attorney Dennis Kirk during his brief court appearance this week.

# Charles gets roughed up —'cos he loves his mom!

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**CHARLES Sebe's love for his mother earned him a going-over from his former colleagues when the deposed Ciskei security chief appeared briefly in court this week.**

General Sebe — detained more than six months ago after allegedly plotting to overthrow his brother, Lennox — scuffled with security policemen after he tried to talk to his mother, Maggie, seated behind him in court.

After his brief appearance, the cops let General Sebe greet his brother Namba, the homeland's former Transport Minister who himself faces corruption charges in a Ciskei court.

But when the general moved towards his mother, he was told to stop. He ignored the request, and

there was a scuffle as one security cop pulled out his service revolver.

The hundreds of people in court dived for cover, and General Sebe was pushed down the steps leading to the cells asking: "Are you going to beat me?"

In his wake, he left a shocked courtroom — and his family too stunned to speak.

The general — who appeared in court wearing a "JR"-type stetson hat and a beige suit — was not asked to plead during his brief appearance in the Zwelitsha Magistrates' Court.

Prosecutor P C Oosthuizen told Magistrate M Z Nqogo charges under the National Security Act had still to be

finalised, and the case was postponed to February 10.

The general's attorney, Dennis Kirk, told the magistrate he would not make any submissions.

Mr Oosthuizen handed in a certificate from Ciskei attorney-general W F Jurgens asking that bail be refused, and disclosed that 30 State witnesses would be called during the trial.

The general waved

to spectators when he was whisked away, amid loud cheers from a crowd gathered outside the court building.

Security was tight, with roadblocks on roads leading to the Zwelitsha courts.

Police searched all vehicles entering the area; and there were also policemen at entrances to the courtbuilding.

Inside the courtroom, about 16 policemen and soldiers were posted

around the dock.

President Lennox Sebe has meanwhile told his cops to "get tough" to avoid incidents like the scuffle with General Charles Sebe.

Such an incident would not have occurred if the police acted firmly, he said at a ceremony in Bisho, where the SA Government handed over 11 cop vans to the Ciskei Police.

"You should act firmly whenever this is required of you," President Sebe said.

23/1/84  
REMN  
**Border UDF  
head is freed**

EAST LONDON — Mr Steve Vukile Tshwete, of Beelton, Ciskei, was released from detention on Friday.

Mr Tshwete, who is the president of the United Democratic Front in the Border region, was detained four months ago under section 26 of the Ciskei National Security Act and held at the Mdantsane police cells.

Colonel Z. Makuzeni, the head of Ciskei Security Police, confirmed that Mr Tshwete had been released without charge.

Mr Tshwete spent 15 years on Robben Island after being convicted of furthering the cause of the banned African National Congress.

Colonel Makuzeni refused to comment on a claim by a Port Elizabeth newspaper that at least 50 people were still in detention in Ciskei. He said he "would not dabble in that news-



**MR TSHWETE**

paper's mud".

"I have not counted how many detainees there still are," Colonel Makuzeni said. — DDR



23/1/84 Star 329

# Bus boycotters arrested

Leading figures in the one-week-old Alexandra bus boycott were arrested by police in the early hours of this morning, according to the Commuters' Committee.

Committee secretary Mr Chris Hashe said that chairman Mr Mike Beea was among those arrested by Security Police at about 1 am.

The others were Mr Mac Lekota, vice-chairman of the committee, Ms Naomi River, publicity secretary of the Alexandra Youth Congress (Ayco), Mr Patrick Banda, Ayco organiser, and Mr Obed Mapelo.

Ayco is one of four organisations represented on the Commuters' Committee.

The committee has deplored "the move of the Security Police in interfering with the bus boycott".

It also alleges that the home of a

Methodist Minister, the Rev Abel Moleleki, was searched during the early morning arrests and that a typewriter and copying machine were confiscated. The Methodist Church hall in Second Avenue has been the venue for several public meetings on the busfare issue.

As the boycott entered its second week today there were signs that it was gaining support. Few people boarded buses at stages before the Wynberg depot on the outskirts of the township. Buses from Wynberg continued to leave partly empty.

Hundreds of people were stranded this morning at the main 15th Avenue bus terminus, deep in the township, as there were too few taxis to carry bus boycotters to their jobs in the city.

At a mass meeting on Saturday commuters agreed to continue the boycott.

# Farmer dies in Venda detention

A man detained by the Venda Security Police under the Terrorism Act. Mr Samuel Tshikhudo, has died in detention, his lawyer said yesterday.

Mr Ismail Ayob said the farmer was detained on November 3. Shortly afterwards, he made inquiries about his client's health.

Mr Ayob said he was assured by the head of Venda's Security Branch, Brigadier Ramabhu-

lana, that Mr Tshikhudo was in good health.

However, on January 9 an associate was refused permission to visit the detainee. Mr Ayob was told yesterday that his client had died on January 19.

He contacted the commander of Venda's National Force, General Maulutsi, who said Mr Tshikhudo had died after "a short illness".

A post-mortem will be held in

Johannesburg tomorrow.

Mr Ayob said he had asked the Venda authorities permission for a psychiatrist and a doctor to visit six other detainees.

They are Mr Robert Rátshitanga, Mr Alfred Denga, Mr Petrus Mudzielwana, Mr Samuel Radumba, Mr Ronald Mokhomu and Mr Wilson Sin-yegwe.

## The second death in detention in Venda

# PRISON DEATH

113 329  
Savetan  
24/1/84

**A MAN held by the Venda Security Forces has died in detention — the second death in detention of a political prisoner in the independent homeland.**

The man, Mr Samuel Tshikhudo Mugivhela (50), of Sibasa, died on January 19 after being taken to hospital the previous day.

The dead man was among seven people held under the Terrorism Act in Venda by the security forces of the homeland. All seven were arrested on November 30 and held under the South African Terrorism Act. Venda still uses South African laws on

By **ELLIOT TSHINGWALA**

many offences.

Yesterday a spokesman for Ismail Ayob and Associates, attorneys acting for the family of Mr Mugivhela and the other detained men, said they had sent a telegram to the Venda Government requesting that the detained men be seen by their attorneys, doctors and a psychiatrist. This request was made as a result of the death of Mr Mugivhela.

The spokesman also disclosed that the post-mortem would be held in Johannesburg on Thursday, January 26 and the Venda Government had agreed to an independent pathologist appointed by the family to be present.

It was also disclosed that on December 13 Brigadier Ramabulana of the Venda forces had informed Mr Ayob that the seven were "in good health." A subsequent letter to General Mahulutsi of the Venda forces on the detention was answered by the Venda authorities that the men could not be seen as they were held incommunicado.

This is the second death in detention in the Venda homeland. In 1982 Mr Tshipiwa Muofhe died soon after detention.

The names of the six detained with Mr Mugivhela are: Mr Petrus Mudzelwana (47), Mr Samuel Radamba (33), Mr Ronald Makhomu (age not given), Mr Wilson Sinyege, Mr Robert Tendamdzwini Tatshitanga (43) and Mr Alfred Denge (36).

## VENDA NO TO PLEA

AN application for a doctor to be allowed to examine the six remaining security detainees in Venda, who were being held with Mr Samuel Tshikhudo who died in detention this week, has been turned down by the homeland government.

According to a spokesman for the firm handling the defence of the detainees, Ayob and Associates, the Venda Government turned down their application in a two-line telex message. The telex stated that the application has been turned down because their request was contrary to the security law of the country.

Case file  
25/1/84

# Venda police refuse visit

JOHANNESBURG — The Venda Security Police yesterday turned down a request for an independent doctor and psychiatrist to visit detainees following the death in detention of Mr Samuel Tshikhudo.

The request was made on Monday night by Mr Ismail Ayob, a lawyer representing Mr Tshikhudo and the six other known detainees in Venda.

In a telexed reply yesterday afternoon, the Venda Security Branch said the request had been turned down since it would be "contrary to the provisions laid down in the security laws".

Yesterday, the head of the Venda Security Branch, Brigadier T. G. Ramabulana, said that Mr Tshikhudo died in the Tshizidzini Hospital, Sibasa, at 6 pm last Friday.

He had been admitted on Thursday after falling ill.

Mr Tshikhudo, 50, had been held under the Venda Terrorism Act since November 3 last year.

Brig Ramabulana said that because the death had occurred after office hours, the family had not been informed until the

following day.

Brig Ramabulana said he could give no details of why Mr Tshikhudo and the six others were being held.

The docket had not yet been forwarded to the attorney-general, who would decide whether to prosecute.

Asked about the condition of the other six detainees, Brig Ramabulana said they were visited daily by a station commander and regularly by a magistrate. He had received no complaints about their conditions, he said.

The six are Mr Robert Ratshitanga, Mr Alfred Donga, Mr Petrus Mudzielwana, Mr Samuel Radamba, Mr Ronald Makhanu and Mr Wilson Sinyegwa.

All of them, including Mr Tshikhudo, were farmers who lived near Sibasa.

Meanwhile, it has emerged that a lawyer acting for the seven men was told by Brig Ramabulana on December 13 that they were all in good health.

The lawyer, who had travelled to Venda in an attempt to see his clients, was refused access to them. — DDC.

329  
D. R. R. R.  
2/1/84

# Former <sup>309</sup> <sup>Star</sup> detainee <sup>25/11/84</sup> recovering after attack

A former detainee under Section 6 of the Internal Security Act is recuperating at his Kagiso home near Krugersdorp after being attacked with knives and axes by assailants in the township.

The ex-detainee, Mr Laurence Ntlokoa (24), said he was walking with a woman friend during the festive season when a group of armed men attacked them at a street corner near his home.

He was struck on the head with an axe and stabbed in the body, but managed to break free. The woman also managed to escape despite the serious injuries inflicted on her.

Mr Ntlokoa was later admitted to the Leratong Hospital, where he underwent an emergency operation. He was in hospital for three weeks.

Mr Ntlokoa's five-year banning order was lifted last year after he had served 12 months in jail for breaking the order.

In 1977, he was detained for six months under Section 6 of the Act, and was again detained the following year.

gave short-out animated movie

## per op is a flop

the giant turtle, who made by being fitted with a pair of is going back to the operating flippers has fallen off.

her flippers bitten off by a who grafted on a pair of articulated proudly as she splashed. But one flipper dropped off — bone had snapped. — Reuter.

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Pendant &  
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Earrings

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# Amnesty fears Venda detainees are not safe

The Star Bureau

LONDON — A 50-year-old detainee in Venda may have died as a result of torture, says Amnesty International.

Venda police said the detainee, Mr Samuel Mugivhela Tshikhudo, a farmer, died in custody last Friday. He had been held incommunicado by security police in Venda for more than two months, says Amnesty.

The international human rights organisation said it had "grave fears" for the safety of seven other uncharged political detainees arrested at the same time as Mr Tshikhudo.

Staff reporter Joao Santa Rita writes that the Venda Government has turned down a lawyer's application for a doctor and psychiatrist to visit the six men detained under security laws.

The lawyer, Mr Ismail Ayob, said the application was made after the Venda authorities informed him on Monday that Mr Tshikhudo had died last week.

Yesterday Mr Ayob received a telex from the commander of Venda's National Force, General Maulutsi, stating the application was turned down because it was contrary to provisions laid down in Venda security laws.

The six men detained under Venda's Terrorism Act are Mr Robert Ratsitanga, Mr Alfred Denga, Mr Petrus Mudzielwana, Mr Samuel Radumba, Mr Rinald Mokhomu and Mr Wilson Sinyegwe.

A post-mortem on Mr Samuel Tshikhudo will be held tomorrow in Johannesburg. The Venda authorities have agreed to the presence of a private doctor.

## Couple can now marry in church, bishop decides

The Star Bureau  
LONDON — The Roman Catholic Church has changed its mind and told paralysed former army sergeant Stephen Rigby he may marry in church.

Mr Rigby (31) was barred from marrying divorcee Mrs Ilona Eradhum (29) because the church said he would not be able to consummate the marriage.

However, the Bishop of Nottingham yesterday sent the couple a letter saying that after a second medical opinion, indicat-

ing the impotence "may not be perpetual", the marriage could now be sanctioned.

The couple, of Borrowash, Derbyshire, said they were relieved, but were now not certain whether to have a church wedding or go ahead with a register office ceremony on March 9.

The decision was possible under Canon 1084 of Canon Law which says that impotence which exists before marriage and is "perpetual" invalidates the marriage.

## West German Defence Minister in more hot water

BONN — West German Defence Minister Manfred Woerner, already at the centre of a political storm for his firing of a top general labelled a homosexual, faced fresh embarrassment yesterday after internal data from his Ministry was found in a roadway ditch.

The data, found near Koblenz last October, is in the form of a computer printout containing a detailed inventory of West German military procurements, prices and part numbers.

A Ministry spokesman said no

military or technical secrets were contained in the unclassified data printout, which was supposed to have been pulped by a paper company.

However opposition Social Democrat members immediately attacked the "security lapse" and have demanded an explanation from Mr Woerner when Parliament's defence committee sits later today.

They have also called for his resignation over the firing of General Guenter Kiessling. — Reuter.

the award of a R430 million contract construction firm Cementation. Mrs I swer for my public duties from this bers of my family are as much ent private duties as is any other citizen."



## PEOP

## Full-length oil Princess Diana

LONDON — Princess Diana after night of a new portrait of herself Australian-born June Mendoza. "I

The 1.8 m full-length oil painting: cess wearing a deep pink satin ball chemise top, and diamond and pearl. It was commissioned by the cers, one of the historic merchant. The artist, who has also painted Charles and other members of woman member of Britain's Roya ers.

The picture was painted during Palace. — The Star Bureau.



TRANSVAAL — Till 6 pm from with isolated thundershowers, over the eastern parts from showers.

Temperatures and rainfall for the 24-hour period

	Max	Min	Rain
	mm		
Bryanston	28	18	5.6
S Suburbs (Hill Exit)	27	18	1.0
West Suburbs (Melville)	29	18	—
Krugersdorp	27	16	—
Springs	29	15	0.8
Pretoria	31	19	—
Pietersburg	30	16	—

JOHANNESBURG CENTRAL — Today 8 am minimum, 17 deg C. Rainfall — 20 far. Average total rainfall for January over 789 mm.

SUNSET today, 19h02, sunrise tomorrow, 06h57.

MOON PHASE today, Last quarter.

ROUND THE WORLD.

	Max	Min	Cloudy
Athens	14	7	Cloudy
Amsterdam	4	-1	Cloudy
Beirut	18	12	Clear
Brussels	4	-2	Snow
Copenhagen	-3	-4	Snow
Frankfurt	3	1	Snow
Geneva	8	0	Snow
Hong Kong	15	11	Cloudy
Lisbon	16	12	Rain
London	4	1	Cloudy
Mexico City	23	9	Clear

## EXPECTED FOR FC

	Min	Max
	Early AM	PM
Johannesburg	17	25
Pretoria	17	25
Durban	21	25

HH400  
film dramatically  
improves picture  
quality

SOWETAN, Thursday, January 26, 1984

# DETAINEE DEATH - VENDA ACCUSED

329  
THERE WAS a new twist in the death in detention of a Venda citizen as the homeland government denied responsibility while Amnesty International claimed he may have died as a result of torture.

The internationally recognised human rights body claimed in a statement released to Sapa that 50-year-old Mr Samuel Mugivhela Tshikhudo may have died as a result of torture by Venda Security Police.

The organisation expressed "grave fears" for the remaining six other detainees who were detained two months ago with Mr Tshikhudo. It also challenged the government to produce the detainees whose whereabouts are "unknown."

But the Venda National Defence commander, General Maulutsi, denied, in a telex message sent to the firm of attorneys that his government was responsible for the detainee's death.

He said government doctors had examined Mr Tshikhudo and found that either typhoid or sugar diabetes

By ELLIOT  
TSHINGWALA

was responsible for his death.

An application by the lawyers to have the remaining detainees, who are being held under the old South African Terrorism Act, examined by a doctor and visited by their relatives and lawyers has been turned down by the government.

But a family appointed pathologist will be present at the post-mortem examination which will be held at the Government Mortuary in Johannesburg.

This is the second political detainee to die in Venda. In 1981 lay preacher Mr Tshiffiwa Muofhe died while being held by Venda Security Police. His family was later awarded R150 000 damages after winning a civil case against the government.



# Ex-police chief Ngceba held in Umtata

UMTATA — The former Commissioner of Police and head of the security police in Transkei, Major-General Martin Ngceba, was arrested here yesterday.

He was arrested as he entered the Botha Sigcau building to go to his 10th floor office which he occupied as director-general of civil defence.

The police liaison officer here, Colonel Mxolisi Jumba, confirmed the arrest of General Ngceba who was relieved of his top police posts in July, 1982.

The arrest follows an alleged assault on a traditional doctor in the Bolotwa area, Mr Sidwell Faku, and on Mrs N. Ngceba.

A police statement said a group of 12 people, including 11 clansmen, went to a kraal in the Bolotwa area to see a boy at a circumcision school.

They could not find the boy and Mr Faku was found. An assault allegedly took place.

Col Jumba said General Ngceba would be appearing in court soon to face charges of house breaking, assault and six counts of assault with intent to do grievous bodily harm.

After being relieved of his police post, the post of director general of civil defence, was created for General Ngceba.

At the time his brief was to investigate measures to be taken in time of natural disaster and national emergency and present a detailed report to the Minister of Defence.

He is also vice chairman of the drought relief committee — DDR

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329 1207  
27/1/84

# Doctors argue with police on Venda death

By ANTON HARBER  
Political Reporter

FAMILY doctors who attended the post mortem of Mr Samuel Tshikhudo, the Venda farmer who died in detention last week, are convinced he had been "dreadfully ill for days and days" before his death.

According to Venda police, Mr Tshikhudo was admitted to hospital only the day before he died.

And the Venda police yesterday informed Mr Tshikhudo's lawyer, Mr Ismail Ayob, that he should ignore an earlier telex saying Mr Tshikhudo had been suffering from typhoid and/or diabetes.

"The information was not meant for you. It was sent to you by mistake," the telex said.

It was signed by the commander of the Venda National Force, Brigadier T R Malaudzi.

Mr Ayob is considering an urgent application to the Supreme Court to demand "appropriate relief" for the other six Venda detainees for whom he is acting.

Mr Tshikhudo, 50, died on

Friday in the Tshilidzini Hospital. He had been detained since early November.

In a telex to Brig Malaudzi last night, Mr Ayob said he did not accept the withdrawal of the statement that his client had typhoid and/or diabetes.

Mr Ayob's telex said a Dr Labuschagne, superintendent of Tshilidzini Hospital, had in his report excluded diabetes.

Dr Labuschagne had also recorded that Mr Tshikhudo was markedly dehydrated, no blood pressure was registered and pulse was faint at about 150/minute.

He also recorded that the police in charge of the patient said that, according to their knowledge, he did not suffer from diabetes and had no treatment of any sort.

"Professor Shapiro and Dr Gluckman, who were at the autopsy this morning, are of the view that the patient would have been incoherent and obviously dying when he was admitted to hospital at 1.15pm on January 19, 1984."

Yesterday, the Venda Opposition leader, Mr Gilbert Bakane, called for an immediate inquiry into the death.

# Doctors dispute Venda's claim that detainee had 'short illness'

By Eugene Saldanha

27/1/84

Two Johannesburg doctors who attended the autopsy on a Venda detainee who died in custody have disputed the homeland government's claim that he died after a "short illness".

The physicians suggested the detainee had been sick for days and terribly dehydrated, according to Mr Ismail Ayob, the attorney acting for the family of 50-year-old Mr Samuel Tshikhudo.

Mr Tshikhudo died last Friday after being held under section 6 (1) of the Venda Terrorism Act for more than two months.

The doctors called in for the autopsy were Professor H Schapiro and Dr J Gluckman.

Mr Ayob informed the police and the head of the Venda National Force (VNF), General T Maulutsi, of their findings. He said he would apply to the Supreme Court for relief if the homeland's authorities continued to turn down his request to

have six other known detainees in Venda examined by a doctor and a psychiatrist.

On Tuesday Mr Ayob was told by the VNF that a doctor had diagnosed Mr Tshikhudo's illness as typhoid and/or diabetes.

But Mr Ayob said in his statement last night that another doctor who had examined Mr Tshikhudo had found he was "markedly dehydrated and no blood pressure was registered". The doctor had also excluded diabetes in his report.

Mr Tshikhudo is the 56th person to die in detention in South Africa or the homelands since detention without trial was introduced.

A spokesman for the Detainees' Parents Support Committee last night expressed concern for the welfare of detainees in Venda.

Black Sash president Mrs Joyce Harris said the SA Government and SA Security Police should not escape responsibility for the latest death simply because of the homeland policy.

(329) (48) 2014 27/1/89

## Former Kei Security Police chief is held

UMTATA. — The former commissioner of Transkei police and head of the Security Police, Major-General Martin Ngebe, was arrested by police yesterday in connection with charges of assault involving witchcraft.

Eleven other people, who are relatives of Gen Ngebe,

were also arrested at Bolotwa, near Idutywa, following assaults on six women and a man on January 7.

The man, a witchdoctor Mr Sidwell Faku, was admitted to Frere Hospital in East London with serious injuries. He is in a critical condition.

The Transkei police liaison

officer, Lieutenant Mxolisi Jumba, said Gen Ngebe, who is now head of the Transkei Civil Defence Force, and a group of relatives are alleged to have assaulted the witchdoctor and the women, whom they suspected of having caused the disappearance of a young man who had

undergone circumcision.

Lieut Jumba said Gen Ngebe was facing charges of intent to assault and six counts of assault with intent to do grievous bodily harm.

The date of the trial has not been fixed as police are still investigating. Gen Ngebe is in custody. — Sapa.

(329) H 27/1/84 204

## Detainee's death slammed

Mail Correspondent

PIETERSBURG. — The Mankweng Youth Congress (Mayco) has condemned the death in detention of Mr Samuel Tshihudu of Venda.

Mr Tshihudu died last Friday after being detained on November 15 last year by the Venda National Force (VNF).

The VNF has said that Mr Tshihudu died of natural causes.

In a statement, Mayco said that the death of Mr Tshihudu is "clear confirmation that the President of Venda, Chief Patrick Mphahlele, is a surrogate of the racist Pretoria regime".

(329) ~~28/11/83~~ D. Dispatch  
**Ngeeba: I was  
not arrested**

UMTATA — The former Commissioner of Police and head of security police, Major-General Martin Ngeeba, denied yesterday that he had been arrested.

But the Deputy Commissioner of Police, Brigadier M. Mantanga, insisted that General Ngeeba had been arrested.

A jovial General Ngeeba said from his 10th floor offices in the Botha Sigcau building which he occupies as Director General of Civil Defence: "How can you say I am arrested when I am here in my office? I am not in jail."

General Ngeeba con-

firmed he had been taken for questioning.

He refused to elaborate on the matter as he said it was personal.

Brigadier Mantanga said: "General Ngeeba was arrested on the allegations specified correctly in the Daily Dispatch."

"Investigations were completed and he was released."

According to a police statement on Thursday, General Ngeeba will appear in court soon on various charges in connection with an incident involving a group of clansmen in the Bolotwa area. — DDR

# Two SWA detainees are freed, then restricted

By TONY WEAVER  
Mail Africa Bureau

WINDHOEK. — Two employees of the Council of Churches of Namibia (CCN) were released from 119 days in Security Police detention this week — and immediately placed under limited house arrest.

Mr Gregor Makgone and Mr Rahimise Wa Kahimise were detained on September 29 last year at the CCN's offices, where they are employed as community workers of the churches' English Language Project.

The two men, who are both members of Swapo's Windhoek branch, staged a one-week hunger strike while in detention in protest against their incarceration.

On their release on Wednesday, restriction orders in terms of security Proclamation AG 26 were imposed on them.

This means they may not travel beyond the confines of the Windhoek magisterial district and may not leave their homes between 8pm and 6am.

Regular inspections are carried out by the Security Police on homes of restricted people.

In a statement yesterday, the two men said: "This whole country is in the grip of South Africa. You come out of a small cell to find yourself inside a bigger one."

South West Africa had become a police state and was under occupation by a foreign country, and their re-

lease made little difference.

They said they did not know why they were detained, and "we found incarceration for days on end to be satanic solitary confinement".

Two other Swapo members, Mr Marco Hausiku and Mr Josephat Ujaha, were also released from detention recently.

Mr Hausiku alleged in an interview this week with the Windhoek Advertiser that he was assaulted by the Security Police when he was detained on November 18 last year.

The chief of Security Police in SWA, Colonel Sarel Strydom, said he had no knowledge of the incident, and if it had happened, it was contrary to standing instructions issued to policemen.

The Catholic hierarchy: (from left) Archbishop G Daniel (Pretoria), Cardinal McCann (Cape Town), Archbishop D E Hurley (Durban), Bishop S Naidoo (Cape Town) and Archbishop Peter Buthelezi.

# Detained Mkhatshwa haunts conference

By  
ZB MOLEFE

THE DETENTION of the prominent Catholic priest Father Smangalis Mkhatshwa hung over the opening of the 10-day plenary session of the Southern Africa Catholic Bishops' Conference (SACBC) this week.

Fr Mkhatshwa, detained since October 30, last year is facing terrorism charges in the Ciskei. His detention has caused anger in church circles locally and abroad, and will again be in the spotlight when a mass is held in Johannesburg's Catholic Cathedral on Sunday.

There was an air of

irony hanging over the session this week. Last year Fr Mkhatshwa, Secretary-General of the SACBC, was banned and silenced when the conference took place. Then he could not be quoted. This year he is in detention.

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# CISKEI FREES STUDENTS UDF LEADER

*C. Press  
29/11/84*

By BENITO  
PHILLIPS

CISKEI has released more than 30 detainees.

They include Border United-Democratic Front president Steve Vukile Tshwete, who was released last Friday after four months in detention.

A number of scholars arrested during the school boycott in Mdantsane have been released: Mcedisi Damoyi, Ngikela Diki, Anele Sinxo, Maboy George, Priel Dlova, Mandla Tyumzana, Mthetheleli Si- mandla, Siphiso Ntaba- siyalila, Nkululeko Baji, Malinga Ben-Mazwi, Phindile Lawuse and Vukile Maki.

Other scholars released are: Sonwabo Ngcaychibi, Lungelo Ngwane, Zolile Solontsi, Thembekile Mbonza, Elliot Witbooi, Phumzile Dyeyi, Feteni Komanisi, Jikile Magxaza, Martin Nogongoto, Ernest Lamati, Sipho Mzimeni, Wally Komanisi, Mlamli Yenana, Thando Maki and Xolani Cingo.

Mrs Ntombizonke Diabantu, wife of detained former Ciskei Central Intelligence Service officer, has also been released.

# SERVICE FOR DEAD DETAINEE

329  
S. Press  
29/1/84

THOUSANDS of people are expected to attend a service to commemorate the death in detention of Samuel Tshikudo, to be held in the Lutheran Church in Mankweng, near Turfloop today.

The service, organised by the Mankweng Youth Congress (Mayco), starts at 2pm.

Mr Tshikudo, who died last Friday while being held under security laws in Venda, is the 56th person to die in detention.

He was detained on last November with Mr Petrus Mudzielwana.

CP Reporter

Mr Robert Ratshitanga, Mr Alfred Denga, Mr Samuel Radamba, Mr Samuel Mahamu and Mr Wilson Sinyegwa, were

held in a subsequent raid.

According to doctors who attended Mr Tshikudo's post mortem, he was probably "dreadfully ill for days and days" before his death.

And Mr Tshikudo's lawyer Ismail Ayob, is now considering an urgent Supreme Court application for the release of the other six Venda detainees.

This follows confusion over a statement telexed to Mr Ayob by Venda National Force head Brigadier TR Malaudzi saying Mr Tshikudo had been suffering from typhoid or diabetes.

But Mr Ayob was later told by the Venda police: "The information was not meant for you. It was sent to you by mistake."

Mr Ayob telexed back to say he did not accept the withdrawal of the telex, saying a Dr Labuschagne at Tshilidzini Hospital had excluded diabetes

## Concern at fate of six

VENDA Independence Party leader Gilbert Bakari has called for a public inquiry into the death in detention of Samuel Mugivhela Tshikudo.

"We are scared of what could happen to the remaining detainees, and demand their release — and call for a public inquiry on what led to Mr Tshikudo's death," he said.

The Detainees' Parents Support Committee (DPSC) has also expressed concern at the plight of the six detainees.

"The detainees' relatives have been refused visits. This immediately raises the fear that the detainees are not in a fit state to see their family," the DPSC said in a statement.

The Mankweng Youth Congress and the SA Allied Workers' Union have, meanwhile, condemned the Venda Government for what happened to Mr Tshikudo.

Mr Ayob also told reporters that two doctors who attended the post mortem "are certain ... that he was dreadfully ill for days".

Mr Tshikudo is the second person to die in Venda police custody. Mr Isaac Moufhe died in November 1981 while being detained under security legislation.

## SAAWU TWO FACE ANC CHARGES

TWO members of the South African Allied Workers Union (SAAWU) charged with furthering the banned ANC and possession of banned literature will appear for the third time in the Pretoria court tomorrow.

Mr Gerald Ramdau, 28, of 3 Motau Street, and Gabriel Kgomo, 27, of 45 Nqomo Street, both of Atteridgeville, were detained last August and appeared briefly before Mr E C Wilkens before they were released on R500 bail each.

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By CEDRIC KEKANA

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Among documents fiscated by police

## Freeway sex charge cops are suspended

TWO Durban traffic cops — one black and one white — have been suspended after they appeared in the Durban Magistrate's court on allegations that they raped a black 39-year-old married woman at gunpoint on a freeway.

Mr Samson Msibi of Umlazi and Mr Steven Watkins of Durban were not asked to plead and bail was fixed at R200.

They are required to report at the police station on Sundays and Fridays. They will appear in court again on February 2.

A public relations

By BANCROFT HLATSWAYO

spokesman for the Traffic Department confirmed that the two constables have been suspended pending the outcome of their trial. He added that Mr Watkins recently got married.

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**DOCLEY'S**  
MASTER TAILORED



The Catholic hierarchy: (from left) Archbishop G Daniel (Pretoria), Cardinal McCann (Cape Town), Archbishop D E Hurley (Durban), Bishop S Naidoo (Cape Town) and Archbishop Peter Buthelezi.

## Detained Mkhatshwa haunts conference

By  
ZB MOLEFE

THE DETENTION of the prominent Catholic priest Father Smailiso Mkhatshwa hung over the opening of the 10-day plenary session of the Southern Africa Catholic Bishops' Conference (SACBC) this week.

Fr Mkhatshwa, detained since October 30, last year is facing terrorism charges in the Ciskei. His detention has caused anger in church circles locally and abroad, and will again be in the spotlight when a mass is held in Johannesburg's Catholic Cathedral on Sunday.

There was an air of

irony hanging over the session this week. Last year Fr Mkhatshwa, Secretary-General of the SACBC, was banned and silenced when the conference took place. Then he could not be quoted. This year he is in detention.

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# Ngceba held 'for assault'

# 400 detained in '83

329. *Somebody* By JOSHUA RABOROKO 30/1/84  
MORE than 400 people, among them about 74 trade union members, were detained in terms of security laws in South African and independent homelands during the past year.

This is according to statistics compiled by the Detainees Parents' Support Committee (DPSC), the South African Institute of Race Relations (SAIRR), South African Council of Churches (SACC) and newspaper cuttings compiled by the Institute for Industrial Relations.

Meanwhile major trade union movements and international organisations such as Amnesty International have called on the government to abolish detention without trial and to release or charge those detained under such laws.

In a separate statement Amnesty International has written to the South African State President, Mr Marais

Viljoen, opposing the death penalty in all cases and regarding it as "a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights."

"We express our grave concern at the imposition of the death penalty on Malisela Benjamin Moloiwe," the amnesty says.

The Ciskei Government had detained more than 100 people, mostly during the Mdantsane bus boycott, and there are indications that more were detained, according to the institute of race relations.

Most union leaders of the South African Allied Workers' Union (Saawu) like Mr Thoz-

mile Gqwetha (president), Mr S Njikelana vice president, and the former acting president of the Media Workers' Association of South Africa, Mr Charles Nqakula, were detained in Ciskei.

According to the institutions, of the more than 400 detainees, about 80 were charged.

The DPSC says most of the detainees are not linked to any identifiable organisations. Students, academics and scholars come top of the list with trade union members a close second. People involved in politics, the church and the Press make up the rest.

The SAIRR and the SACC say it is becoming more difficult to gather information on detainees because of increasing government sensitivity to critical foreign opinion.

They argue that more people will be detained in 1984 because the authorities will make use of the new Criminal Procedure Act, which allows police to hold someone in custody for 48 hours.

Trade unions that have condemned detention without trial include Fosatu, Cusa, Commercial, Catering and Allied Workers' Union, Saawu, which is banned in Ciskei, Insurance Assurance Allied Workers Union and Mwasa.

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# Alex leaders granted bail

FOUR leaders of two Alexandra township organisations were last week each granted R500 bail by a Johannesburg Regional Magistrate after being held for more than two weeks in terms of security legislation.

Mr Paul Mashatile (22), president of the Alexandra Commuters' Committee (ACC) and his deputy, Mr Mack Lekota (55), appeared before Mr W Aucamp.

They were not asked to plead to charges under the Intimidation Act

and no evidence was led. The case was postponed until February 10.

The four men were detained by the Security Police about two weeks ago, while the Putco bus boycott in the township continued. Several other residents connected to the two organisations were also held in the pre-dawn raids.

Miss Naomi River, Mr Jacob Mtshali and Mr Obed Bapela, the Ayco executives, who

were detained at the same time with the four men, were early last week released by John Vorster Square police without being charged.

Meanwhile the Rev Abel Moleleki, of the Methodist Church in Alexandria and Mr Michael Vilakazi of Ayco, were detained and held in terms of Section 50 of the Criminal Procedures Act.

Mr Vilakazi was briefly held and released

by the police after questioning by police last week. Mr Moleleki, whose home was also searched last week, said then that a typewriter and a duplicating

machine were removed. The ANC held meetings organised with Ayco at the Methodist Church, when the fare increases were introduced.

# 35 bishops protest priest's detention

**Mail Reporter** 3-29  
UNIFORMED and plain-clothes policemen watched from buildings surrounding the Christ the King Cathedral in Berea, Johannesburg, yesterday, as 35 bishops and nearly 2 000 people gathered to protest the detention of a Catholic priest.

The Pope's representative, Archbishop Edward Cassidy, also took part in the service, which demanded the release of Reverend Smangalis Mkhathshwa and prayed for all detainees.

It was the largest gathering ever of bishops in Southern Africa.

Mr Mkhathshwa, who is sec-

retary general of the Southern African Catholic Bishops Conference (SACBC), was detained by Ciskei police in the Ciskei in October last year, following a prayer meeting at the University of Fort Hare.

He recently appeared in a Ciskei court on unspecified "terrorism" charges. His second banning order lapsed last year.

Plain-clothes policemen stood opposite the church throughout the entire service — some were busily filming the crowd — while a group of at least 20 uniformed police watched from some distance away.



# Harassment after Mass for detainees

By Carina le Grange,  
Religion Reporter

About 3 000 people attended a special Mass for Father Smangalis Mkhathshwa — detained by the Ciskei authorities last year and now awaiting trial — and all other detainees in the Cathedral of Christ the King in Doornfontein, Johannesburg, yesterday afternoon.

As the two-hour service ended, about 40 plainclothes and uniformed police, filming the crowds, kept a close watch on the scene as singing crowds poured into Saratoga Avenue and created a minor traffic jam.

A freelance woman photographer was assaulted by a white man as she was trying to photograph the police. She

received injuries to her hands as the man, grabbing her from the back, tried to break her camera while the police looked on.

The Mass, which took place during the annual meeting of the Southern African Catholic Bishops' Conference (SACBC) being held in Pretoria at present, was attended by the top leadership of the Catholic Church, among them Owen Cardinal McCann of Cape Town, the Apostolic delegate to Southern Africa, Archbishop Edward Cassidy, and the president of the SACBC, Archbishop Denis Hurley.

## PROCESSION

The 32 bishops entered the cathedral in ceremonial procession which included invited guests such as the secretary general of the United Congregational Church of Southern Africa, the Rev Joseph Wing, and the banned Dr Beyers Naude, wearing the black robe of the Ned Geref Kerk in Afrika.

Although the Mass was held for all detainees, prayers and sermons (in Zulu, Sotho and English) centred on the secretary general of the SACBC, Father Mkhathshwa. Many people sat on the floor or stood in the aisles for lack of space.

Delivering a sermon in Zulu, the Bishop of Eshowe, the Right Rev M Biyase, said in reference to the Ciskei and Father Mkhathshwa's imprisonment: "It grieves me as a black to realise that at this stage of our liberation struggle, a fellow brother is an instrument in this act of torturing another black."

The Archbishop of Bloemfontein, the Most Rev P F Buthelezi, said in Sotho that the church in recent times had been harassed — priests, nuns and lay people were not spared. "The Lord is just to the oppressed, sets prisoners free and raises up those who are bowed down," he said.

## FREEDOM

Archbishop Hurley said in his English sermon that "the call to keep politics out of religion is really a call to keep the message of the Scriptures, the example, the influence, the wisdom, the virtue, the holiness and the freedom of Jesus, out of political life".

Cardinal McCann, who was one of the main concelebrants at the Holy Communion, prayed for Father Mkhathshwa and "others suffering injustice, for their freedom so that they may work for justice and for peace in South Africa".

Cape Times

329

The Cape

30/1/86

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105

## 2 000 at service — police watch

Own Correspondent

JOHANNESBURG. — Uniformed and plainclothes policemen watched from buildings surrounding the Christ the King Cathedral in Berea, Johannesburg, yesterday as nearly 2 000 people left the church singing and chanting.

The people had gathered in the church to take part in a service to demand the release of the Rev Mmangaliso Mkhathshwa, a Roman Catholic priest arrested in Ciskei in October last year and who is still being held, and to pray for all detainees.

Also present were 35 bishops — the largest gathering of bishops ever in Southern Africa — and the Pope's representative, Archbishop Edward Casady.

Plainclothes policemen stood opposite the church throughout the service, some filming the crowd, while a group of at least 20 uniformed police watched from a distance.

Amongst the speakers was Archbishop Dennis Hurley of Durban, who said the South African system called for politics to be kept out of religion, but this also meant keeping all the virtues of Christianity out of political life.

Bishop M Biyase of Eshowe said: "It grieves me as a black to realize that at this stage of our liberation struggle, a fellow brother is an instrument in this act of torturing another black."

Prayers were also said for "people who hold other people in their power".

In the congregation was Dr Beyers Naude, former director of the Christian Institute of South Africa, who has been a banned person since 1977.

# Thousands against detention in Ciskei

The SA Press Association has received thousands of signatures in protest against the detention without trial of people in Ciskei, as well as copies of appeals to South African State President Marais Viljoen asking for the death sentence of a man convicted of killing a security policeman to be commuted.

The letters, telegrams and petitions show concern over the detention in Ciskei of the general secretary of the Southern African Bishops' Conference, Father Shunguliso Mkhathshwa, and two journalists.

The appeals for clemency concern the death sentence of Malisela Benjamin Moloise, who was sentenced to death on June 9, 1983, for killing a security policeman.

The letters have come from all over the world from members of human rights groups such as Amnesty International.

Since the detention in Ciskei of Father Mkhathshwa, last October 30, Sapa has received hundreds of copies of letters, telegrams, and petitions to the Ciskei President-for-life Lennox Sebe and Ciskei's Minister of Justice, Mr David Tlale.

One of the petitions has more than 2000 signatures. All ask that Father Mkhathshwa either be charged or released.

Last night in Johannesburg more than 30 bishops and 3000 people attended a service for him and other detainees.

Since the detention last month of two journalists who worked for the newspaper Imvo Zabantsundu, copies of more than 200 letters have been received from members of Amnesty International and from journalists in the US and Europe.

Mr Basana Mkele and Mr Sabelo Ngani were detained after reporting on the Ciskei's first anniversary celebrations.

## Reply on 329 ~~243~~ detainees Star 1/2/84 awaited

The lawyers of the farmer who died in detention, Mr Samuel Tshikhudo (50), await permission from Venda authorities for a doctor and a psychiatrist to visit six other known detainees in the homeland.

A spokesman for Ismail Ayob and Associates, the lawyers acting for the detainees, said the homeland government had still not replied to a telex requesting that a doctor and a psychiatrist be allowed to visit the men.

The lawyers have informed the head of Venda's Security Police, General H Malautsi, that they will make an application to the Supreme Court for relief if their request is continually rejected.

JOHANNESBURG — The South African Press Association (Sapa), has received hundreds of copies of letters protesting against the detention without trial of people in Ciskei, as well as copies of appeals to the State President, Mr Marais Viljoen, asking for the death sentence of a man convicted of killing a security police, to be commuted.

The copies of the letters, telegrams and petitions show concern over the detention in Ciskei of the general-secretary of the Southern African Bishops Conference, Father Smangaliso Mkhathswa, and two journalists who were detained while covering Ciskeian affairs.

The copies of appeals for clemency concern the death sentence of Malisela Benjamin Moloise who was sentenced to death on June 6 1983, for killing a security policeman. All further appeals against the sentence have been waived and only the State President can intervene to commute his sentence.

Copies of more than 300 letters and petitions with a total of 557 signa-

## Protest letters sent to press association

*D. Disputa* 329  
1/2/84  
105

tures have been received.

The letters have come from all over the world from members of human rights groups like Amnesty International and the Christian Society for the Abolition of Torture and all have been addressed to Mr Viljoen.

Most ask that Moloise's sentence be commuted to one of life imprisonment.

Since the detention in Ciskei of Father Mkhathswa, on October 30, Sapa has received hundreds of copies of letters, telegrams and petitions to the Ciskei President-for-life Lennox Sebe and Ciskei's Minister of Justice, Mr David Takane.

One of the petitions, from the Catholic diocese of Limburg in West Germany, has more than

5 000 signatures.

Since the detention, last December, of two journalists who worked for the weekly Xhosa language newspaper, Imvo Zabantsundu, copies of more than 200 letters have been received from members of Amnesty International as well as from journalists in the US, Britain, France, West Germany and Spain saying detention and imprisonment "simply for having exercised their profession" was inhuman. One of the letters said the detentions were like "something out of the middle ages."

Bafana Mkefa and Sabelo Ngani were detained on December 15 after having reported on the Ciskei's first anniversary celebrations.

They have since been released. — SAPA.

# Tighter security netted new spies says Le Grange

By Peter Sullivan,  
Political Correspondent

CAPE TOWN — The Russian spy hunt, started by the Gerhardt affair which brought about a general tightening of security, led to three new spies

being exposed, the Minister of Law and Order said today.

Mr Louis le Grange said only one of them was in the Defence Force and he was a national serviceman.

Mr le Grange referred all other questions to the Minister of Defence, General Magnus Malan, who announced in Parliament yesterday more spies had been uncovered.

Today General Malan refused to confirm or deny a name given by The Star as the name of the national serviceman involved.

Asked whether The Star would be allowed to publish the name, General Malan said that depended on the Police Act and the newspaper should ask the police what it was allowed to do.

General Malan said he and Mr le Grange would have to get together later and if he had anything to add, he would do so after that meeting.

During the No-Confidence debate yesterday, General Malan said more details of the case would be released once the investigation had been completed and that any espionage incident was damaging to a country.

During the debate, Gerhardt was described as "the biggest spy since Philby" and sources confirmed that the tightening of security after Gerhardt's capture had resulted in the three new detentions.

In Parliament this week, the Speaker, Mr Johan Greess, ruled that all further debate on the Gerhardt affair would be sub judice as there was an appeal pending.

critics

Cape Times 2/28/84

329

# Biko play opens: A triumph, say UK

from JOHN BATTERSBY  
LONDON. — The spectre of  
black-consciousness leader  
Steve Biko returned to Lon-  
don when Fleet Street's  
critics acclaimed Albert  
Finney's production "The  
Biko Inquest" at an emo-  
tion-charged premiere on  
Friday night.  
The reaction of the first-  
night audience of promi-  
nent South African expan-  
sionists, West-End stars and

system.

The Daily Mail's Jack  
Tinker, critic of the year,  
described the production as  
"not only a cause for rejoic-  
ing but a landmark in  
modern theatre history".

And John Barber, the  
right-wing Daily Tele-  
graph's theatre critic,  
wrote: "Criticism can do  
nothing with material like  
this. The facts must be ac-

cepted and one can only  
bow one's head."

Albert Finney, who di-  
rects the play, plays the part  
of Johannesburg advocate  
Mr Sydney Kentridge, who  
acted for the Biko family at  
the 13-day inquest which  
made headlines around the  
world.

Mr Kentridge, accompa-  
nied by his lawyer wife Fe-  
licia, was among a number

of prominent South Afri-  
cans who attended the pre-  
miere.

The play is already sold  
out for its five-week run at  
the Riverside Studios.

The script is by South  
African Jon Blair and Nor-  
man Fenton.

Reactions of audience  
and critics alike were more  
those of people who had  
witnessed a horrifying ex-

perience rather than seen a  
great play.

John Barber of the Daily  
Telegraph wrote: "The im-  
passivity makes the facts  
seem more dreadful, the of-  
ficials' effrontery more  
cynical."

"It is not denied that  
Biko was deprived of bread  
and water and kept naked  
and in chains, then put  
through a seven-hour inter-

rogation.

"When, as a result he  
went berserk, he was clear-  
ly assaulted and went into a  
coma."

Michael Coveney, of the  
Financial Times, was less  
enchanted by the play, al-  
though he welcomed the  
UBA enterprise, which he  
wrote had opened with "a  
dry, clinical, unfussed  
account of the inquest".

ff  
—  
S

By CHRIS FREIMOND  
Political Correspondent  
**HOUSE OF ASSEMBLY.** —  
Another spy has been uncovered in the South African Defence Force, the Minister of Defence, General Magnus Malan, announced in Parliament yesterday.

Speaking in the No Confidence Debate, Gen Malan said the spy was a national serviceman. He said the matter was being investigated and he could not reveal any further details at this stage.

It was not clear yesterday if the spy was a Soviet agent similar to Commodore Dieter Gerhardt, who was convicted in December of spying for the Russians and jailed for 20 years.

Gen Malan made the announcement while speaking about the problem of security in South Africa and other countries in the West.

He said in spite of increased security in South Africa, another spy had been caught in the SADF.

The announcement came towards the end of his speech and was unexpected. When approached later for further com-

# Another spy is found in SADF, says Malan

ment, Gen Malan said he could say nothing further on the issue.

It is understood the investigation is being handled by the South African Police.

On Monday in the No Confidence Debate the Government was attacked by spokesmen of both the Conservative Party and the Progressive Federal Party over the Gerhardt affair.

The CP's Dr Ferdie Hartzenberg said Gerhardt had been suspected, investigated and cleared 10 years before he was finally caught.

He said Gerhardt's activities had continued undetected during

the time that the Prime Minister, Mr P W Botha, was Minister of Defence and during Gen Malan's time.

This indicated that something was "radically wrong" with the administration of Government in South Africa.

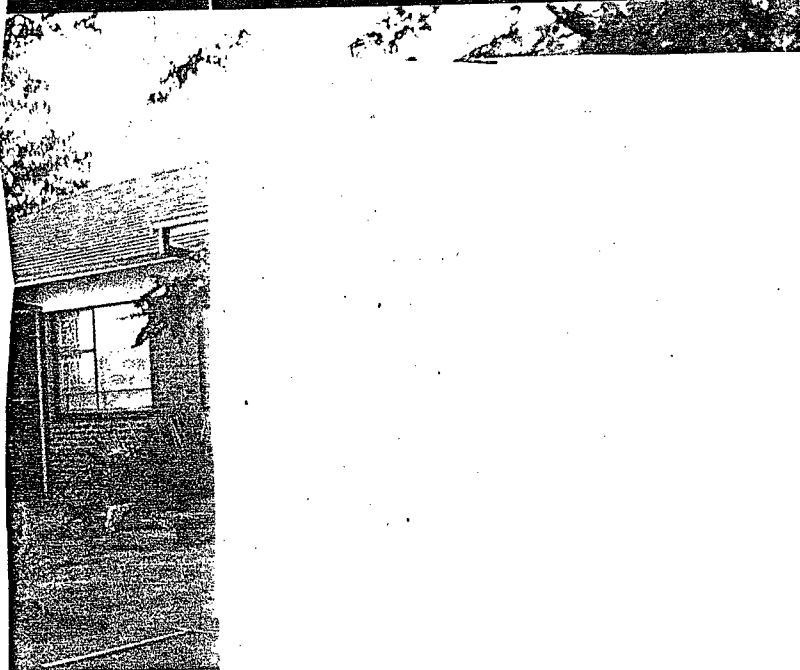
The Official Opposition's spokesman on Defence, Mr Philip Myburgh, said on Monday that Gerhardt had been able to operate in spite of South Africa's sophisticated security system and had in fact been caught by the Americans who had interrogated him and then handed him back to South Africa.

In his speech yesterday Gen Malan pointed out that there was greater infiltration of Soviet spies in other Western countries than in South Africa.

Referring to the recent Operation Askari in which the SADF attacked Swapo positions in Angola, Gen Malan said the operation had been the greatest success so far.

Askari had enabled the Prime Minister to undertake his diplomatic initiative which resulted in the announcement on Tuesday that South African troops were disengaging in Angola with an eye on a possible ceasefire, he said.

## T PLUSH HIDE-OUT IN LINMEYER



Jack Lee McCall — a R950 a

## Test-tube baby first

CAPE TOWN. — The first test-tube baby from a South African fertilisation has been



# MWASA TO HOLD VITAL MEETING

THE Southern Transvaal region of the Media Workers' Association of South Africa (Mwasa) will hold an important meeting at the Orlando DOCC hall on Sunday morning.

The meeting, scheduled to start at 11am, will discuss Mwasa's constitutional congress which aborted in East London at the weekend when there was a split resulting from political differences within the organisation.

Senior officials of the organisation will address the workers and members will map out the course to be taken by the region following the weekend's events.

The split within Mwasa was over the Western Cape's decision to open Mwasa's membership to whites and its call for affiliation to the United Democratic Front (UDF). Some members of the organisation felt that Mwasa should not affiliate to political organisations, but leave it to its individual members to belong to political organisations of their choice.

Chairman of the region, Mr Sam Mabe, has requested all members to attend as they are directly affected by the weekend's events and to participate in decisions that may be taken on the fate of the region.

## QUESTIONS UNDER NAME OF MEMBER

and (d) Black members of the South African Police Force of each rank?

THE MINISTER OF LAW AND ORDER:

No. 1 still hold the view set out in my reply to the hon. member's Question No. 13 on 7 October 1961.

*Deaths in custody*  
110. Mr. P. H. P. GASTROW asked the Minister of Law and Order:

(a) How many persons died in police custody in 1963 and (b) what were the causes of these deaths?

THE MINISTER OF LAW AND ORDER:

(a) 130.

(b) Injuries sustained before arrest . . . 23  
Assaulted by fellow prisoners . . . 8  
Suicide . . . 30  
Natural causes . . . 53

*Firearm*  
111. Mr. R. A. F. SWART asked the Minister of Transport Affairs:

How many (a) posts and (b) vacancies are there for firemen at present at (i) Jan Smuts, (ii) Louis Botha, (iii) D. F. Malan, (iv) H. F. Verwoerd, (v) Ben Schoeman, (vi) Bloemfontein, (vii) Kimberley, (viii) Uitenhage and (ix) Winhhoek Airport?

THE MINISTER OF TRANSPORT AFFAIRS:

	(a) Posts	(b) Vacancies
(i) Jan Smuts . . . . .	96	35
(ii) Louis Botha . . . . .	38	9
(iii) D. F. Malan . . . . .	38	1
(iv) H. F. Verwoerd . . . . .	28	1
(v) Ben Schoeman . . . . .	23	4

	(a) Posts	(b) Vacancies
(vi) Bloemfontein . . . . .	26	10
(vii) Kimberley . . . . .	21	3
(viii) Uitenhage . . . . .	15	4
(ix) Winhhoek . . . . .	23	7

## Official visits

132. Dr. F. A. H. VAN STADEN asked the Minister of Constitutional Development and Planning:

Whether he paid any official visits abroad in 1963, if so, what (a) were the dates and was the (b) duration, (c) cost and (d) purpose of each visit?

THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

No.

(a), (b), (c) and (d) fall away.

## Official visits

130. Dr. F. A. H. VAN STADEN asked the Minister of Posts and Telecommunications:

Whether he paid any official visits abroad in 1963, if so, what (a) were the dates and was the (b) duration, (c) cost and (d) purpose of each visit?

THE MINISTER OF POSTS AND TELECOMMUNICATIONS:

No.

## Official visits

144. Dr. F. A. H. VAN STADEN asked the Minister of Environment Affairs and Fisheries:

Whether he paid any official visits abroad in 1963, if so, what (a) were the dates and was the (b) duration, (c) cost and (d) purpose of each visit?

THE MINISTER OF ENVIRONMENT AFFAIRS AND FISHERIES:

No (a), (b), (c) and (d) fall away.

Burnard, Dr. M. S.:  
Health and Welfare, 35

Law and Order, 50

Boraine, Dr. A. I.:

Mainpower, 15, 32, 33, 34, 36

Dalling, Mr. D. I.:

Community Development, 37

Foreign Affairs, 9, 12

Health and Welfare, 35

Internal Affairs, 37

Justice, 15, 36

Law and Order, 49

Posts and Telecommunications, 49

Eglin, Mr. C. W.:

Foreign Affairs, 18

Prime Minister, 1

Gastrow, Mr. P. H. P.:

Community Development, 19, 20

Law and Order, 17, 51

Hardingham, Mr. R. W.:

Agriculture, 19

Co-operation and Development, 21

Health and Welfare, 18

Hoon, Mr. J. H.:

Environment Affairs and Fisheries, 23

Foreign Affairs, 24

Mainpower, 23

Hullay, Mr. R. R.:

Environment Affairs and Fisheries, 47, 48

Le Roux, Mr. F. J.:

Mineral and Energy Affairs, 24, 26, 28

Malcomson, Mr. D. J. N.:

Law and Order, 44, 50

Transport Affairs, 44

Moortroff, Mr. E. K.:

Agriculture, 13

Community Development, 13

Savage, Mr. A.:

Industries, Commerce and Tourism, 40

Schutte, Mr. P. A.:

Agriculture, 6

Environment Affairs and Fisheries, 4

Snyman, Dr. W. J.:

Co-operation and Development, 21, 32

Law and Order, 38

Soul, Mr. P. G.:

Community Development, 16

Co-operation and Development, 16

Suzman, Mrs. H.:

Co-operation and Development, 13, 14, 39

Law and Order, 16, 41, 50

Swart, Mr. R. A. F.:

Co-operation and Development, 8

Transport Affairs, 51

Van der Merwe, Mr. H. D. K.:

Foreign Affairs, 28

Posts and Telecommunications, 27

Prime Minister, 1

Van der Merwe, Mr. S. S.:

Constitutional Development and Planning, 46

Internal Affairs, 30, 45, 46

Van Staden, Dr. F. A. H.:

Constitutional Development and Planning, 32

Environment Affairs and Fisheries, 52

Internal Affairs, 43

National Education, 41

Posts and Telecommunications, 52

Van Zyl, Mr. J. J. B.:

Community Development, 29

Viasigie, Mr. J. H.:

Constitutional Development and Planning, 42

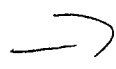
329 ~~329~~ Hansard 3/2/64  
Q. 601. 35

Detention: visits by State doctors  
57. Dr M S BARNARD asked the Minister of Health and Welfare:

- (1) Whether any visits were made by State doctors in 1983 for the purposes of examining persons detained in terms of security legislation: if not, why not; if so,
- (2) whether records were kept of these visits; if not, why not; if so, how many visits were made in 1983;
- (3) whether any reports on such visits were submitted by State doctors to his Department in 1983; if so, how many such reports were submitted;
- (4) whether any action was taken by his Department as a result of such reports; if not, why not; if so, (a) in how many cases, (b) for what reasons and (c) by whom?

The MINISTER OF HEALTH AND WELFARE:

- (1) Yes;
- (2) yes; 448
- (3) yes; 448



- (4) no; no steps were deemed necessary; (a), (b) and (c) fall away.

FRIDAY, 3 FEBRUARY 1984

the proposed constitutional dispensation, it so, (a) from which institutions and/or organizations and (b) what was (i) the purpose of, and (ii) his reaction to, each of these representations?

# THE MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

Yes

(a) Various Indian persons, organizations and bodies.

(b) (i) and (ii) I am sub-engaged in negotiations in this regard and consequently not in a position at this stage to express an opinion or take a stand-point regarding the matter.

## National parks

\*19. Mr R R HULLEY asked the Minister of Environment Affairs and Fisheries:

Whether any additional areas of land were set aside for national parks in 1983, if so, (a) where and (b) what is the extent of each of these areas?

# THE MINISTER OF ENVIRONMENT AFFAIRS AND FISHERIES:

Yes

(a) The Karoo National Park near Beaufort West.

(b) 2 200 hectares.

*Remained Q. 61. 47*

\*19. Mr R R HULLEY asked the Minister of Environment Affairs and Fisheries:

How many tonnes of (a) anchovy and pilchard and (b) non-quota pelagic fish were landed during the 1983 fishing season, during the latest specified period of 12 months for which figures are available?

# THE DEPUTY MINISTER OF ENVIRONMENT AFFAIRS AND FISHERIES:

Particulars in respect of the two fishing seasons during 1983 are as follows:

FRIDAY, 3 FEBRUARY 1984

which are to be declared as such.

(i) No.

(ii) No.

(2) No.

(3) No. The attention of the hon member is however, drawn to a press release issued by the Departments of Mineral and Energy Affairs and Environment Affairs on 25 January 1984, a copy of which will be made available to him.

For written reply:

## Television licences

28. Mr D J DALLING asked the Minister of Posts and Telecommunications:

(a) How many television licences were issued in 1983, and (b) what was the amount collected in respect of these?

# THE MINISTER OF POSTS AND TELECOMMUNICATIONS:

(a) 1 794 077; and

(b) R7 741 940.92. This amount includes expenses paid in respect of late renewals.

## Sandton Reserve Police Force

32. Mr D J DALLING asked the Minister of Law and Order:

(1) How many persons joined the Reserve Police Force in Sandton in 1983;

(2) how many reservists (a) retired and (b) dropped out from the Reserve Force in that year?

# THE MINISTER OF LAW AND ORDER:

(1) 18 persons.

(2) (a) None.

(b) 11.

*Remained Q. 61. 3*

31. Mrs H SUZMAN asked the Minister of Law and Order:

(1) How many persons are detained at present under section 29(1) of the Internal Security Act, No 74 of 1982;

(2) whether any such persons have been detained for longer than three months; if so, (a) how many and (b) for what period in each case?

# THE MINISTER OF LAW AND ORDER:

(1) 21 persons as on 31 January 1984.

(2) No.

## Detainees

58. Dr M S BARNARD asked the Minister of Law and Order:

(1) Whether any detainees are hospitalized at present; if so, (a) how many and (b) for what reasons;

(2) whether hospitalized detainees may be visited by their relatives, if not, why not; if so, how often?

# THE MINISTER OF LAW AND ORDER:

(1) No.

(2) Falls away.

## Police salaries

Mr D J N MALCOMES asked the Minister of Law and Order:

Whether he will reconsider his decision regarding questions on police salaries; if not, why not; if so, what are the rates of pay for (a) White, (b) Coloured, (c) Asian

Niehaus probe led to arrests

# Three in spy claim are named

329 RDM  
3/2/84

By CHRIS FREIMOND  
Political Correspondent

CAPE TOWN.

**THE names of the three people in allegedly involved in South Africa's latest spy drama who were arrested in December as a result of investigations into the activities of Carl Niehaus were released yesterday by the Minister of Law and Order, Mr Louis le Grange.**

They are Mr Ronald Hunter, 25, who was attached to Defence Headquarters Pretoria, Mrs Patricia Murray, 25, and Mr Derek Hanekom, 30.

Mr Le Grange said in Cape Town he was confirming the detention of the three — for questioning in terms of the Internal Security Act — following the allegation in Parliament on Wednesday by the Minister of Defence, General Magnus Malan, that another member of the Defence Force had been uncovered as a spy.

Mr Le Grange said allegations of high treason and/or contraventions of the Internal Security Act were being investigated.

On December 16 the Rand Daily Mail reported that five people, including two women, had been detained by the police. The detentions were confirmed by the Chief of the Security Police, Major-General Frans Steenkamp, but he declined to name the detainees.

He said some of the five had been arrested on a farm in the Magaliesberg. The arrests were linked to investigations into the Niehaus case, he said.

Carl Niehaus was jailed for high treason last year.

The Mail reported on December 16 that four of those detained were Mr Ronald Hunter, Mrs Patricia Murray, Mr Derek Hanekom and Mr Mike Oelofse, 25, who was reported to also be a national serviceman.

Mr Le Grange said yesterday Mr Hunter had been detained on December 13 and the other two on December 15.

Mr Hunter is the brother of Miss Catherine Hunter, who was detained last year as a possible witness in the Niehaus trial.

His mother, Mrs Evelyn Hunter, attracted widespread publicity last November when she questioned the Prime Minister, Mr P W Botha, about her daughter's detention when he addressed a referendum meeting in Johannesburg.

Mr Hunter is a 25-year-old national serviceman without rank, reports ANTON HARBER.

Mr Hanekom and Mrs Murray are a married couple who work on a communal farm in Magaliesburg.

Little is known about Mr Hunter and yesterday his family were reluctant to talk to the Press.

When telephoned late yesterday afternoon, Mr Hunter did not know that his son had been named in connection with spying.

He said he had had no idea his son was the suspected spy mentioned in Parliament on Wednesday and he was shaken by the news.

Mr Hanekom and Mrs Murray ran a small farm that produced dairy products and were better known in Johannesburg for their yoghurt and cheese than anything else.

(105) (329) D. Nqutsh  
4/2/84

## Police detain ex-councillor

EAST LONDON — A former Mdantsane township councillor, Mr Caweni Sotyelelwa, was detained by Ciskei security police soon after he appeared in a Mdantsane magistrate's court on a charge of murder this week.

Mr Sotyelelwa failed to appear in court on the murder charge on February 26. A warrant for his arrest was subsequently issued.

He was brought to court this week, where he was cautioned and told to appear again on February 17, by a magistrate Mr M Ngoma.

Soon after he left the court he was detained by Ciskei security police. Colonel Zebulon Makuzeni, the head of the Ciskei security police, confirmed the detention yesterday. —  
DDR

4/2/82  
329  
Dunfath

# Detainee taken to hospital

EAST LONDON — A detained former member of the Ciskei Central Intelligence Servicesn Captain M. R. Dlabantu, was taken from his cell to the Cecilia Makiwane Hospital this week.

Colonel Zeblon Makuzeni, the head of the Ciskei security police, confirmed yesterday that Captain Dlabantu had been

admitted to hospital.

He said he did not know why the detained man had been sent to hospitalm "I have not had a report back yet," he said.

The hospital could not supply details of Mr Dlabantu's condition.

He was detained by Ciskei security police in July. — DDR

# 'Death' symptoms in Venda detainees

By ANTON HARBER  
Political Reporter

TWO Venda detainees are now believed to have been hospitalised with similar symptoms to those shown by Mr Sambe! Tshikhudo, who died in custody a fortnight ago.

The condition of one of them, Mr Alfred Denga, 36, has deteriorated so much that his wife, who recently saw him in hospital, hardly recognised him.

According to sources in Venda, he is in the Tshilidzini Hospital. He is believed to be suffering from a kidney complaint and has suffered a major loss of weight.

The other, Mr Petrus Mudzielwani, 47, was recently taken to Sailoam Hospital in Venda.

According to their lawyers, their families have said they were in good health when they were detained in November last year.

Both of them now have lost weight and have severely

sunken eyes, according to the sources.

Spokesmen for the Venda National Force could not be contacted yesterday for comment.

Mr Tshikhudo died on January 20, after being admitted to hospital the day before.

Venda police originally told his lawyers he had a "short illness", diagnosed as "typhoid and/or diabetes".

They later retracted this, saying the information was not intended for the lawyer.

Family doctors who attended the post mortem, held 10 days ago in Johannesburg, believed he had been ill for many days before his death.

They said his eyes were "deeply sunken" and he was "terribly dehydrated".

The detainees were held with three others in two raids last November.

The others are Mr Samuel Radamba, Mr Ronald Makhanu and Mr Wilson Sin-yegwa.

A number of people — including their lawyer, Mr Ismail Ayob, the Venda official Opposition leader, Mr Gilbert Bakane, and the Detainees' Parents Support Committee — have expressed concern for their condition in the wake of Mr Tshikhudo's death.

A request for a family doctor and psychiatrist to visit them was turned down by the Venda police.

A second request, made after the post mortem findings, has had no reply.



Play on inquest 'a triumph for theatre'

# Steve Biko's spectre not yet laid to rest

(329) ROOM 4/2/84

London Bureau

**LONDON.** — The spectre of black consciousness leader Steve Biko returned to London on Tuesday night when Fleet Street's critics acclaimed Albert Finney's production of the Biko inquest at an emotion-charged premiere.

The reaction of the first night audience of prominent South African expatriates, West End stars, and Fleet Street's ascerbic critics made it clear South Africa has not yet paid the price for Mr Biko's chilling death in detention six years ago.

London's critics hailed the production by the new United British Artists' Company as a triumph for the theatre and a chilling indictment of the South African political and judicial system.

The Daily Mail's Jack Tinker, critic of the year, described the production as "not only a cause for rejoicing but a landmark in modern theatre history".

And John Barber, the Rightwing Daily Telegraph's theatre critic, wrote: "Criticism can do nothing with material like this. The facts must be accepted and one can only bow one's head."

Albert Finney, who directs the play for a new star-studded British company, plays the part of the Johannesburg advocate, Mr Sydney Kentridge, who acted for the Biko family at the 13-day inquest which made headlines around the world.

Mr Kentridge, accompanied by his lawyer wife Felicia, was among a number of prominent South Africans who attended the premiere.

The play is already sold out for its five-week run at the Riverside Studios.

The play is an edited — but word perfect — dramatic reconstruction of the inquest into Mr Biko's death in police custody on September 12, 1977.

The script is by South African Jon Blair and Norman Fenton.

Reactions of audience and critics alike were more those of people who had witnessed a horrifying experience rather



Actor **ALBERT FINNEY** plays Advocate Sidney Kentridge.

er than seen a great play.

The Guardian's Michael Billington wrote:

"I don't suppose this documentary will change anyone's mind about South African justice. But a truth is nonetheless valuable for being re-told, and at the very least, the play shows a legal system in operation where the verdict seems to bear little relation to the evidence."

"Mr Finney's production, staged very simply with walnut desks for the lawyers and magistrate and a dais with a black leather chair for the witnesses, also captured the calm, quiet, good mannered atmosphere of the proceedings where a man's death is being examined."

He continues: "Finney himself as Kentridge hits a nice balance between the rigorous inquiry and the legal delights at scoring a point, and in an amazingly

strong all-male cast Nigel Davenport's off-hand aquiline security chief, Michael Aldridge's bemused surgeon, and Paul Jerricho's blazered interrogator, stand out.

"These smooth witnesses barely betray a flicker of panic, guilt or conscience. And it is this pangless public ease that finally makes the documentary so unnerving."

"The facts are stark and terrible. But what makes the play so effective is the huge gulf between the damning evidence and the limp, low-key response of those who came into contact with Biko. One is confronted less by a vast cover-up than by a series of lies, evasion, and bunglings that are easily exploded."

John Barber of the Daily Telegraph wrote:

"The impassivity makes the facts seem more dreadful, the officials' affront more cynical."

"It is not denied that Biko was deprived of bread and water and kept naked and in chains, then put through a seven-hour interrogation."

"When, as a result, he went berserk, he was clearly assaulted and went into a coma."

Michael Coveney, of the Financial Times, was obviously less enchanted by "The Biko Inquest", although he welcomed the UBA enterprise, which he wrote had opened with "a dry, clinical, unfluffed account of the inquest."

He felt that "the impact of the show lies in the details, the horrendous ease with which police and doctors conspire to accuse the dead man of shamming". But he concluded his review with "all very worthwhile, but all very dull".

The authors of "The Biko Inquest" are giving one-third of their royalties from this production to the International Defence and Aid Fund for Southern Africa.

After its run at Riverside Studios "The Biko Inquest" will be filmed in the United States for screening on British television.

# Police throw warder in jail

CISKEI Security Police have detained an Mdantsane prison warder, Lieutenant M Puwana, and three other men from the Hewu district under Section 26 of the National Security Act.

The three men are Mr M Hebe, Mr S Hans and Mr Chris Ndabula.

Meanwhile, Ciskei police have released Captain Joe Ntwasa, who was redetained a week ago while out on R100 bail pending charges involving assault with intent to do grievous bodily harm. Captain Ntwasa had been held since July 17 1983.

Also released was Border Rugby Union secretary Mr Moses Twebe, a former Robben Island prisoner who was detained in June last year.

Others released are Miss Bukelwa Menye, a King William's Town bank employee, Mr Denzil Mbambo and Mr M Khanyile.



(WV) 61104/ER

A political detainee, Mr Paris Molefe Malatji, shot himself in the head after seizing a security policeman's pistol, according to defence evidence presented to the Rand Supreme Court today.

Detective Sergeant Jan Harm van As (27), a security policeman based at the Protea Police Station, is charged with the murder of Mr Malatji on July 5, last year. Sergeant van As pleaded not guilty.

Mr Malatji had been detained for interrogation the day before his death, Mr Justice SN Kirk-Cohen heard.

Sergeant van As and Mr Malatji were alone in an office at the Protea Police Station at the time of the alleged murder.

While Sergeant van As had his back turned

# Van As 329 'had no Stew reason' 6/2/84 to kill detainee

Mr Malatji seized the policeman's pistol from its holster and killed himself with a single shot to the head, defence advocate Mr JH Liebenberg submitted.

Sergeant van As had no reason or motive for killing Mr Malatji, said Mr Liebenberg. The case continues.

# Alleged spy (329) had only a week left in the army

6/2/84 By Caroline Hurry Stan

Mr Roland Hunter, the national serviceman detained for alleged spying, had only a week left in the army before his arrest on December 14.

According to a close family friend who does not wish to be named, Mr Hunter was to take up a post as a lecturer in developmental studies at the University of Bophuthatswana. "He was really looking forward to the post. The news of his detention came as a great shock," she said.

"We heard he was visiting a dairy farm in the Magaliesberg belonging to Derek Hanekom (30) and his wife Patricia Murray (25) (who retained her maiden name) on December 14 when Security Police arrived to search the farm for arms.

"The police arrested Mr Hunter, Miss Murray (Trish), Mr Hanekom and two other people on the farm, after discovering 'guns'.

"The two people whom I know only as Mike and Sibby were released after questioning, but Roland, Trish and Derek were detained.

"Trish and Derek are both pleasant people who worked hard growing fruit and vegetables. I knew they were a bit 'leftist' but never for one minute imagined they could be involved in espionage."

She said the Hunter family lived in Swaziland and moved to Johannesburg about six years ago.

Mr Hunter attended the Waterford School in Swaziland and went on to the University of the Witwatersrand where he obtained a degree in economics and an honours degree in environmental studies.

"Roland was never politically active while at university. He was always rather aloof, academically minded and very well spoken."

His sister Cathy was detained at John Vorster Square as a possible witness in the Nienhaus trial.

His mother, Mrs Lucienne Hunter, who lectures at a Johannesburg college and is studying for a MA degree at Wits, publicly confronted the Prime Minister, Mr P.W. Botha, demanding to know why Cathy had been detained.

Mr Hunter has two other sisters. His father, Dr Peter Hunter, is a research worker at Wits.

# Aggett grave vandals 'afraid'

By Jo-Anne Collinge

329

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Star

6/2/84

The strains of the anthem Nkosi Sikelel' iAfrika sounded in Johannesburg's West Park Cemetery yesterday morning as the second anniversary of the death in detention of trade unionist Dr Neil Aggett was observed.

The short graveside service was attended by former detainees, trade unionists and civil rights activists who laid their flowers on a grave desecrated by vandals. A hammer and sickle had been emblazoned on the front of the stone in red paint — above it the words "hanged himself", and below, "Commie".

Dr Aggett died in a cell at John Vorster Square. The finding of the inquest was that he committed suicide after months in detention.

A spokesman for the Detainees' Parents Support Committee and the Detainees' Support Committee, which organised the service, said the ceremony, though focused on Dr Aggett, was in memory of all who had died in detention in South Africa.

There are 56 known victims, four of whom — Ernest Dipale, Simon Mndawe, Paris Malatji and Samuel Tshikudu — have died since Dr Aggett.

Dr Liz Floyd, Dr Aggett's girlfriend at the time they were both detained in 1981, referred to the vandalising of his grave as an act of fear, provoked because "Neil was to many people something of their own feelings and own commitment ... Also he came to represent the struggle of people in the unions".

A second commemoration meeting was organised by the Johannesburg Democratic Action Committee.

# Anniversary of death of Neil Aggett

6/2/84 By MARTINE BARKER

YESTERDAY two years ago Dr Neil Aggett became the first white political detainee to have died in police detention in South Africa.

Since then four more people have died in detention under South African or homeland security laws, and a fifth died soon after being released from police custody.

In the investigations which followed each of their deaths, only one concluded that any blame could be laid at the door of the police. In that instance, where the detainee had been shot in the head at point-blank range, the only consequence was that the Commissioner of Police announced that an unnamed policeman had been suspended.

As in the case of Dr Aggett, the official cause of death of Mr Ernest Moabi Dipale, in August 1982, and of Mr Tembuiye Simon Mndawe, in March 1983, was suicide by hanging.

Dr Aggett was found hanged from the grille of his cell at John Vorster Square on January 5, the day after he had been interrogated for 62 hours.

Mr Dipale, who died after three days in detention, was alleged to have made a confession to a magistrate the day before his death. The lawyer acting for his family was refused access to this.

Mr Mndawe was found hanged 14 days after his arrest in the Eastern Transvaal in March 1983. He was alleged to have been an insurgent.

## Complained of difficulty in breathing

Miss Linda Dlodlo, a young Soweto woman, was arrested by police in August 1982 and told that she was wanted for questioning in connection with a stolen vehicle.

When she arrived home, after 23 days in detention, she had an acute asthma attack which a doctor attributed to emotional stress.

After four days in hospital she was released and thereafter, according to her mother, frequently complained of having difficulty breathing. Two weeks later she suffered a relapse and died on the way to hospital.

Mr Paris Molefi Malatje was arrested on 4 July 1983. Less than 24 hours later he was dead from a bullet wound in his forehead.

Police have said he was being detained under the Criminal Procedures Act, which allows for 48 hours detention on suspicion, on an allegation of contravening the Internal Security Act.

A fortnight ago a 50-year-old Venda man, Mr Samuel Tshikhudo, died while being held under section 6 of the Venda Terrorism Act. He had been in detention since November 13 last year.

Venda authorities said he had died after a short illness, but two doctors who attended the post mortem suggested that he had been 'sick for a long period and was "terribly dehydrated".'

The count has now reached 57.

Cape Times 6/2/84  
#11 329

# Detainee's tombstone desecrated

JOHANNESBURG. — Shocked trade unionists, civil rights campaigners and friends found the tombstone on Dr Neil Aggett's grave in Johannesburg's West Park cemetery desecrated when they gathered yesterday morning to commemorate the death in detention two years ago of the doctor who became a trade union organizer.

Dr Aggett, Transvaal secretary of the Food and Canning Workers' Union, played a leading role in attempts to unify independent trade unions in the period before his detention.

In red spray paint, a hammer-and-sickle and the words "hanged himself" and "comm" (implying communist) were painted over the tombstone, which simply states "Died in detention".

## Paint wet

The paint was still wet when the first people arrived.

At the ceremony, attended by about 50 people, the Rev Paul Verryn, of the Princess Methodist Church in Roodepoort, read from Psalm 69, "A Cry for Help", while plainclothes policemen in cars patrolled the area around the cemetery.

In his message, Mr Verryn said "the so-called reform" taking place in South Africa at the moment was meaningless if detention without trial and the silencing of the real leaders of the people persisted.

"It is even more despicable that this is done in the name of Christianity. It has nothing to do with Christ."

The desecration of Dr Aggett's grave was "empty jeering at the

dead, who have a dignity that cannot be affected by such foolish actions".

Dr Liz Floyd, who was engaged to Dr Aggett, said the desecration of the grave was an illustration that people were "still scared of Neil, even after his death".

A former Nusas president, Mr Auret van Heerden, who was in detention at the time of Dr Aggett's death, said the aim of detention was to break people — "Dr Aggett made a choice, he refused to break", he said.

● The Food and Canning Workers' Union has called on workers to remember Dr Aggett and his work in building democratic trade unions, "as the conditions that led to his death are still facing us today".

In a statement issued yesterday, Mr Jan Theron, the union's secretary, said a united trade union movement to withstand "attacks on the standard of living of the working class" was needed more than ever before.

The government had shown that it would continue to detain trade union leaders "under the cover of State security".

In Ciskei, numerous people had been detained although no charges had been proved against them.

"Also, there has been no change to the detention laws to effectively prevent deaths in detention," the statement said.

Mr Theron said the occasion would be marked by worker meetings held at branch and factory level. — Own Correspondent and Staff Reporter

Mercury 6/2/84 (18) (32)

## Friends find red paint on Aggett grave

Mercury Correspondent

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Shocked trade unionists, civil rights fighters and friends found the tombstone on Dr Neil Aggett's grave in Johannesburg's West Park cemetery desecrated when they gathered yesterday morning to commemorate the death two years ago of the doctor who became a trade union organiser.

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cars patrolled the area around the cemetery.

Rev Paul Verryn, of the Princess Methodist Church in Roodepoort, said the 'so-called reform' taking place in South Africa was meaningless if detention without trial and the silencing of the real leaders of the people persisted.

'It is even more despicable that this is done in the name of Christianity. It has nothing to do with Christ.'

The desecration of Dr Aggett's grave was 'empty jeering at the dead, who have a dignity that cannot be affected by such foolish actions'.

Dr Aggett, who would have been 30 yesterday, was remembered at several small ceremonies in Johannesburg yesterday.



# Detainee shot himself, court hears

By Andrew Beattie

A security policeman who allegedly shot and killed political detainee Mr Paris Molefe Malatji pleaded not guilty in the Rand Supreme Court yesterday to a charge of murder.

Detective Sergeant Jan Harm van As (27), who was stationed at the Protea police station in Soweto, is alleged to have killed Mr Malatji on July 5 last year, the day after Mr Malatji was detained under security legislation.

Mr J H Liebenberg SC, for the defence, said that Mr Malatji committed suicide by seizing Detective Sergeant van As's pistol from his holster while his back was turned and shooting himself in the head.

Mr Malatji and Detective Sergeant van As were alone in an office at the Protea police station at the time.

All witnesses who testified in court yesterday were members of the South African Police.

The court heard that it was against regulations issued by the Commissioner of Police for police to carry a firearm while interrogating detainees, "unless there were compelling reasons to do so".

The holster that Detective Sergeant van As wore at the time of the alleged murder had a locking strap to prevent the pistol falling out and was shown in court as an exhibit. Evidence heard in court indicated that this strap would possibly not prevent a pistol from being snatched out of the holster.

One witness, Warrant Officer J B Terblanche, also attached to the Security Police at the Protea police station, said he heard the gunshot while he was in his office that day.

When he ran outside he saw Detective Sergeant van As and a police lieutenant standing in the corridor — both seemed to be upset. Detective Sergeant van As was gesturing at the pistol in the holster at his side, said warrant Officer Terblanche.

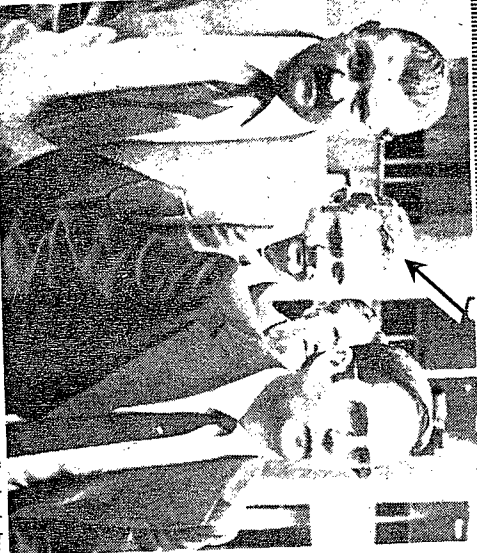
Security Policemen each had their own techniques for interrogating detainees, said Warrant Officer Terblanche, in answer to questions by the prosecutor, Mr K P C von Lieres SC. As Detective Sergeant van As had joined the Security Police only shortly before the incident, his interrogation of detainees was subject to the supervision of a Warrant Officer Grundlingh.

Detective Sergeant van As was not empowered to detain people on his own initiative, the court heard. Permission for him to do so had to be obtained "from Pretoria".

A sketched plan of the scene of the incident was presented to the court by Lieutenant D J Dippenaar of the police fingerprint department. He said that fingerprints and other tests had been taken to establish whether there were any gunpowder marks on Detective Sergeant van As's hands or on Mr Malatji's body.

Detective Sergeant van As is on bail. The hearing continues today.

# Cop tells of Malatjie shooting



SGT VAN AS (Arrowed): Leaving court yesterday flanked by colleagues.

A SECURITY policeman said in a statement before a Rand Supreme Court yesterday that Paris Malatjie, who died in detention from a bullet shot last year, killed himself by grabbing the policeman's service revolver from his holster and then shooting himself.

Sergeant Jan Han, van As (27), who is attached to the Security Police section at Protea Police headquarters, and is now suspended, is charged with shooting Mr Malatjie with a 9 mm pistol in the head, during an interrogation session at the police station on June 5, last year.

Mr Malatjie was shot in the forehead and died on the spot.

In a statement read in court, before Mr Justice Kirk Cohen, who is sitting with two assessors, Sg van As said Malatjie, who was brought that morning into his of-

By ELLIOT TSHINGWALA

ice for interrogation, pulled out his (Sgt van As) pistol and shot himself before he could be stopped.

He told the court that Malatjie entered the room with a black policeman. He (van As) had turned aside to prepare the typewriter for the interrogation.

Suddenly he felt a swift movement and someone, simultaneously, frantically grabbing at his pistol in his holster.

Before he could turn he heard a shot and Malatjie fell to the floor.

Blood was spattered in all directions in the room. Sgt van As, moved the gun from Malatjie who was now dead and reported to his senior, a Lt Trollip.

Warrant Officer Terblanche

said he could not leave his office because it was against the rules to leave detainees on their own.

Questioned by the State prosecutor about rules concerning the carrying of firearms during interrogation, W/O Terblanche said he was aware of a ruling which prohibits policemen from carrying firearms while interrogating.

W/O Terblanche, who was at the time busy with another detainee in another room, said he did not carry a gun because he felt it was not necessary.

Three black policemen, Constable Ezekiel Malambo, Sgt Steven Matress and Richard Mutsila, who transported Malatjie to and fro during his two-day detention, said they found him a normal person who did not give any resistance during his detention.

Proceeding

# ANGRY MOB

Accused of lightning deaths

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MARKETING

You too can qualify for an elite position in the business world. Damien Management School, South Africa and the foremost management training organization (IAMA) have joined forces to provide the courses which will be run by Damien in of their kind. The courses will be run by Damien in association with College of Marketing which is the official

# Detainee 'shot himself' claim

Own Correspondent

JOHANNESBURG. — A detainee grabbed a security policeman's pistol out of its holster and shot himself in the head during interrogation, the Rand Supreme Court was told yesterday.

Detective Sergeant Jan Harm van As, 27, of Mindalore, Krugersdorp, attached to the Protea police station in Soweto, pleaded not guilty to murdering Mr Paris Molefe Molatsi in his office on July 5 last year.

According to a statement read to court, Sergeant Van As's defence is that Mr Molatsi committed suicide.

Although Mr Molatsi was arrested last July 4 in terms of the Criminal Procedures Act, his interrogation on July 5 was to have been conducted in the light of State security, the court heard.

Detective Warrant-Officer Jacobus Terblanche, a security policeman stationed at Protea, told the court that standing orders that security policemen may not be armed during interrogations were issued by the Commis-

sioner of Police during December 1982.

He said it was possible Sergeant Van As was not aware of these orders as he was only transferred to the security police branch during May 1983.

Warrant-Officer Terblanche said Sergeant Van As left another detainee, Mr George Serpe in his care during the morning of July 5.

Some time later he heard a loud noise and went to investigate. He saw Sergeant Van As and Lieutenant A Trollip, their section commander, standing outside the office used by Sergeant Van As and Detective Warrant-Officer A O Grundlingh.

Sergeant Van As was pointing to the firearm in his holster and explaining something to Lieutenant Trollip. Both of them seemed very shocked, Warrant-Officer Terblanche said.

He heard later that Mr Molatsi had been shot and saw his body in the office.

According to the indictment, Mr Molatsi was arrested and detained at Dobsonville police station on the instructions of Sergeant

Van As on July 4.

Sergeant Van As ordered Detective Sergeant Richard Ntsila to bring Mr Molatsi to Protea police station for interrogation on July 5, the court heard.

The State claims a shot was fired soon after they entered Sergeant Van As's office. He was found on the scene with his 9 mm Beretta pistol in its holster and Mr Molatsi lying dead on his stomach with a bullet wound in his head.

## 'Good shot'

Captain Abraham Grobbelaar, organizer of a practical pistol shooting club which Sergeant Van As joined last January, said he was a "relatively good shot".

Sergeant Van As said in his statement he had never interrogated prisoners alone. When he and Mr Molatsi entered the office Warrant-Officer Grundlingh was not there.

The next moment he felt someone grab at his holster, Sergeant Van As said. When he turned around, Mr Molatsi stepped back with his pistol in his hand, pointed it at his head and fired.

The case continues today.

Mr Justice F C Kirk-Cohen is presiding with Mr George Barry and Mr Frederick de Jager as assessors. Mr. Klaus von Lieres, SC, and Miss Natalie Fleischack are appearing for the State. Mr J H Liebenberg, SC, and Mr Schalk Burger are appearing for Sergeant Van As.

RDM 7/2/84

As the devastating floods subside...

# Killer diseases threaten KwaZulu

Mail Correspondent

MANY thousands of people in KwaZulu are still stranded and homeless following last week's cyclone and there are now fears of the killer diseases malaria, typhoid and cholera breaking out.

With flood waters receding, stagnant pools of water will breed larvae, resulting in a massive influx of mosquitoes said KwaZulu's acting secretary for health, Dr D Hackland.

"We desperately need medical supplies to prevent these diseases," Dr Hackland said.

He was speaking in Ulundi where a delegation of authorities yesterday met to discuss immediate steps to safeguard flood victims.

The authorities who toured the flood-stricken area yesterday included Mr Sarel Hayward, Minister of Water Affairs, Dr Dawie de Villiers, Minister of Commerce, Trade and Tourism and the administrator of Natal, Mr Stoffel Botha.

But residents face another danger — escaped lions from the Umfolosi Game Reserve.

Natal's MEC for the Parks Board, Mr Dering Stainbank, yesterday said about 40km of fencing at the game reserve had been washed away.

Parks Board officials feared the lions — there are about 120 in the Hluhluwe-Umfolosi area — would stray out of the reserve.

Meanwhile, many sugar cane farmers will be forced to leave their lands — particularly in the Umfolosi Flats area — where farms

have been completely washed away and now form part of the main or subsidiary river course.

Several road links in northern Zululand and parts of Natal have been restored after flood waters destroyed large sections of roads and washed away many bridges.

But inhabitants of Mapeplane, near St Lucia, could remain cut-off for at least three months after the only access road was completely wiped out in the flood.

Telephone links between most exchanges in the flood-

devastated areas had been repaired by late yesterday.

According to Col Philip Prinsloo, Officer Commanding the SANDF base in Durban, the situation in Natal and Zululand had "stabilised".

A C 130 Hercules transport aircraft carried out a series of "ration runs" between Richards Bay and the devastated Mtubatuba district yesterday, ferrying about 50 tons of foodstuffs to thousands of destitute people.

In Swaziland meanwhile, reports Sapa, the airlifting of hundreds of Swazi schoolchil-

dren and teachers prevented from returning to school by the floods entered its fourth day yesterday.

The air shuttle service, operated by Swaziland Defence Force light aircraft and a South African helicopter, is taking students and teachers between Matsapa airport, Manzini, and main centres in the southern, eastern, and the still inaccessible northern parts of the country.

Hundreds of students and teachers were still waiting at the various airstrips to take advantage of the service.

## Detainee shot himself, court told

By TONI REYNEKE

A POLITICAL detainee grabbed a security policeman's pistol out of its holster and shot himself in the head during interrogation, the Rand Supreme Court was told yesterday.

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of State security, the court heard.

Detective Warrant-Officer Jacobus Terblanche, a security policeman stationed at Protea, told the court security policemen were under standing orders not to be armed during interrogations.

He said it was possible Sgt Van As was not aware of these orders, as he was only transferred to the Security Police branch in May 1983.

WO Terblanche said Sgt Van As left another detainee, Mr George Serepe, in his care during the morning of July 5. Some time later he heard a loud noise and went to investigate.

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SGT JAN HARM VAN AS accused of murder

The Cream  
of the Crop  
is in  
Rembrandt van Rij

*The Mercury* (329)  
7/2/84  
**Airman tells of  
Harare torture**

London Bureau

WING-CDR John Cox, among the last of the white Zimbabwe Air Force officers to be released after their clearance on sabotage charges last year, spoke for the first time yesterday about torture he suffered in detention in Harare.

Wing-Cdr Cox said, however, that in spite of his arrest and torture he had kept a 'naive faith' in Zimbabwean Prime Minister Robert Mugabe.

From his home near Bristol Wing-Cdr Cox spoke of beatings, blindfold interrogation, a 450 km drive through the bush in leg-irons and handcuffs, a mock execution and finally severe electric shock treatment with an instrument which 'felt as if it was a red-hot hedgehog or wire brush'.

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SGT JAN HARM VAN AS  
accused of murder

## Torture under UN spotlight

GENEVA. — The United Nations Human Rights Commission began its 40th annual session yesterday with the agency director calling on the commission to speed up work on an international convention outlawing torture.

"It remains of the greatest importance that the convention against torture is finalised in the near future so that it can become part and parcel of the body of international law," Mr Kurt Herndl, director of the UN Human Rights Centre, said.

Mr Herndl made the appeal in his opening speech to the 43-nation commission, which meets annually to examine human rights violations throughout the world.

Under the proposed convention on torture, countries would be obligated to prosecute or extradite torturers.

The convention also calls for an independent committee that could visit countries and investigate allegations of torture.

Last week, Argentina announced it was withdrawing its previous objections to the convention in a change of policy under the new government of Mr Raul Alfonsin.

Now the most vocal critic of the convention is the Soviet Union, which objects to inspections on its territory.

Mr Herndl said Argentina had also promised to co-operate fully with the commission and provide information on disappeared persons.

During the next six weeks of session, the commission is expected to examine human rights situations in some 15 countries, including South Africa, Afghanistan, Iran, Namibia, Poland, and the Israeli occupied Arab territories.

It will also look at such practices as disappearances, torture in detention or prison, summary executions, and possible action against totalitarian ideologies. — UPI.

# Biko — the making of a martyr from a nonentity

329 HIA Stew 8/2/84

So Sir Richard Attenborough has been visiting South Africa, apparently as part of his preparation for the making of a film on the life of Steve Biko, the Black Consciousness leader who died in detention in September 1977.

Judging by his award-winning film "Gandhi", we can expect the result to be a monumental propaganda work.

Certainly there can be no other reason for making a film about an obscure politician who died under unfortunate circumstances.

At least Gandhi, whatever one may think of him, was a national and international figure of major importance. Biko was a nonentity until he died. Only after his death did the media, the left and the enemies of South Africa, following the pattern of the Nazis with Horst Wessel and the communists with Patrice Lumumba, raise him from obscurity and make him into a martyr.

If you think that is an exaggerated statement, consider how one of the world's leading and most influential newspapers, the Washington Post, on October 8 1977 gave massive publicity to the Biko case under a six-column headline.

In the same issue, hidden away, was a 5 cm report that the Governor of Texas has asked the US Justice Department to investigate the possibility of Federal charges against two policemen in the case of Joe Torres.

You never heard of Joe Torres? Strange. He was a 23-year-old American prisoner who was beaten by police and subsequently drowned.

Perhaps you didn't hear about him because they didn't publish books, write plays or make films about the unfortunate man.

But then we didn't hear about how the British and the Americans forcibly handed over 2.5 million Russians to Soviet secret police to be shot or worked or raped to death in Siberian camps till 30 years after it happened, did we?

Also mysterious is why Biko should be chosen for elevation to the status of martyr while so many other men and women of at least

## MY VIEW



Martin Spring

equal, if not greater, worth, die or are maltreated abominably in communist or Third World nations today.

Nkonono Kave, a close associate of Biko, was reported in March 1982 as saying that the ANC accused Biko of having been a CIA spy. This ties in with what the South African Minister of Police told me — that Biko was "almost certainly the paid agent of a foreign power" and "had more money at his disposal than anyone else in South Africa."

Intelligence sources have suggested that the CIA, who thought highly of Biko, had selected him as the eventual political alternative to the Soviet-run ANC to take over this country from the whites.

They put so much money and effort behind Biko that, when he died, they were outraged and resolved to unleash a whirlwind of publicity against South Africa in a spirit of revenge.

Whether or not that is true, the

hagiolatry (saint-worship) surrounding Biko is most suspicious.

Whatever the truth, how much of it can we expect Sir Richard to reveal in his film?

When he made "Gandhi", he got the Indian Government to put up one-third of the R24 million cost. Part of the deal was that the Indian Government exercised right of veto over every aspect of the film, from the script to the casting.

In other words, the film was a blatant propaganda exercise for India's national hero and for India itself.

Presumably we can therefore expect "Biko" to be financed by the Anti-Apartheid Movement, the Defence and Aid Fund, the UN Committee Against Apartheid, or some other similarly disinterested party.

● Martin Spring, a former editor of the Financial Gazette and The Citizen, is a Johannesburg business consultant.



# Preacher who died behind bars lived in the back of beyond

A SMALL cluster of clay huts nestles on a lush mountainside 10km from the nearest tarred road, hidden by a thick cloud of mist and almost entirely cut off from "civilisation"...

That's where the Mail found the family of Samuel Tshikhudo, the Venda farmer and, according to his wife, lay preacher who became the second victim of the "homeland's" security laws when he died in detention two weeks ago.

Only a thin whisp of smoke from a log fire, hardly visible in the mist which covers the mountains, gives any hint that life exists in the tranquil Tshizube valley, about 50km from Sibasa.

The tiny settlement is only reached by mud tracks, by crossing a river which was in spate at the time and by climbing through dense mountain-side scrub.

Without the help of two eager guides, it would have been impossible to find the settlement.

The guides also acted as interpreters as Mr Tshikhudo's family speaks little English.

Through them, it was established that the dead man, aged 52, had three wives, one of whom — Sophia — deserted him a few years ago, and 11 children, seven with one wife and four with another.

He farmed vegetables for a living, earning about R200 a month, and was a preacher with the Zion Revelation Church of Southern Africa.

Mr Tshikhudo was a well-known and respected figure in the area. The locals came to him with all sorts of problems, often asking his assistance with farming and other matters.

His first wife, Mrs Gladys Tshikhudo, 44, wearing an old short-sleeved dress and a blanket wrapped around her waist, spoke of the day "they came to fetch my husband", and how she came to hear of the news of his death in a police cell two days later.

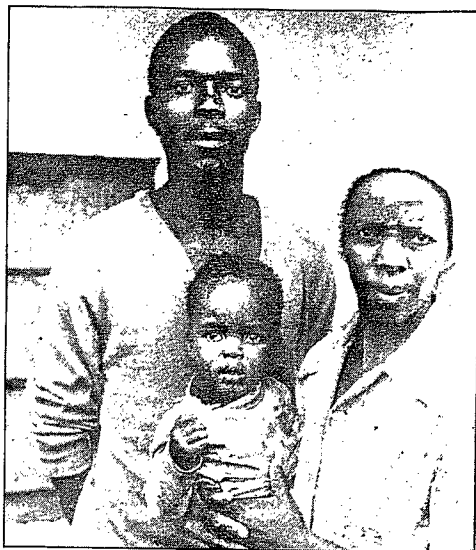
For Mrs Tshikhudo the news came as a terrible shock.

She is a simple, rural woman who, until her hus-



THE MAN WHO DIED ... Samuel Tshikhudo.

The head of Venda's security branch, Brigadier N T Ramabulana, said Mr Tshikhudo had been arrested under the Terrorism Act. The brigadier would not say what crime he was suspected of, adding that this would be "decided by the court".



THE WIDOW ... Mrs Gladys Tshikhudo, her eldest son, Ruben, and his daughter, Joyce

Picture: ROBBIE SCHNEIDER

## DAVID CAPEL

band's detention, had not even met a policeman. Not only has his death left her heartbroken — it has also left her confused.

She said six policeman came to her home to arrest Mr Tshikhudo. They returned the next day for her and his second wife, Gogogo, who lives about 12km away.

Mrs Tshikhudo said she was taken to the police station at Sibasa, where she was put in a cell and questioned about her husband.

She last saw him two weeks ago when the police brought him home to conduct a search. All Mr Tshikhudo said to his wife at their final meeting was to tell her how much money he owed at a store nearby.

A Captain Makwarela informed Mrs Tshikhudo of her husband's death. "He came here and wanted to know if I had any disease, like typhoid," Mrs Tshikhudo said.

The police did not tell her how her husband died, although they told the family's lawyers that the cause was typhoid and/or diabetes — a statement they later retracted.

Mr Tshikhudo's eldest son, Ruben, at 27 a father of a two-year-old baby girl, now has the responsibility of looking after the family. It is a great responsibility, and Ruben expresses fears that he will not cope.

He earns R240 a month as a bricklayer in Sandton

City, and this must be stretched a long way. He has to pay for the food, clothing and education of his 10 brothers and sisters.

Mrs Tshikhudo brings a worn fullscap notebook from the back of the hut. In it she has recorded the dates of birth of her seven children, and other information about them.

Apart from Ruben, there is Lydia, 21, Emainah, 19, Julia, 16, Petros, 10, and seven-year-old twins, Joseph and Ester.

Mr Tshikhudo's other children — by his second wife, Gogogo — are Sophia, 19, Sathil, 13, Obed, 12, three-year-old Inos.

Mr Tshikhudo earned about R200 a month by selling his vegetables at a market in the village. His wife hopes to continue.

The dead man had lived

in Venda all his life. His wife said he had never been involved in politics and had no other interests apart from his work at home and with the church.

He was very keen that all his children should receive a good education and went to great trouble to send them to schools in the area.

His name is known throughout the area where he lived. All the locals questioned said they knew him and were eager to show the way to his home, despite the terrible weather.

They spoke of him as a kind, simple man, devoted to his family.

He is buried in a cemetery in the Sibasa district — another victim of security legislation which affords no right of reply, and which dealt a simple family a tragic and confusing blow.

X 329 *Hammond Q 61.98*  
Deaths in detention  
*8/2/84*  
177. Mrs H SUZMAN asked the Minister  
of Law and Order:

X Whether any persons died in 1983 while  
being detained in terms of the security  
laws of the Republic; if so, (a) how many,  
(b) what were their names, (c)(i) on what  
date and (ii) in terms of what legislation  
was each detained, (d) on what date did  
each of them die and (e) what was the  
cause of death in each case?

→

99

THURSDAY, 9 1

The MINISTER OF LAW AND OR-  
DER:

Yes.

- (a) One person.
- (b) Thembise S Mndawe.
- (c) (i) 24 February 1983.  
(ii) In terms of section 29(1) of the  
Internal Security Act, 1982.
- (d) 8 March 1983.
- (e) Inquest proceedings have not yet  
been finalized.

(329) Hamand C. 61. 79  
Detention of M Jack  
8/2/84

\*13. Mr D J N MALCOMESS asked the Minister of Law and Order:

- (1) Whether Mr Mkhusele Jack was held by the South African Police recently; if so, (a) by which branch of the South African Police and (b)(i) where, (ii) for what length of time and (iii) why was he held;
- (2) whether any charges have been laid against this person; if not, why not; if so, what charges;
- (3) whether Mr Jack was interrogated; if so,
- (4) whether he has received any complaints concerning the interrogation of this person; if so, what was the nature of the complaints;
- (5) whether an inquiry has been held into this incident; if not, why not; if so, what were the findings?

The MINISTER OF LAW AND ORDER:

(1) Yes.

(a) and (b) As a result of alleged intimidatory behaviour, Mr Jack was taken to the New Brighton police station by members of the Security Branch of the South African Police where he was questioned for about 30 minutes in the ordinary course of investigation.

(2) No, but the matter is still under investigation.

→

3 FEBRUARY 1984

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- (3) Yes, questions were put to him.
- (4) No.
- (5) Falls away.

## The MINISTER OF COMMUNITY DEVELOPMENT:

R1 036 950.

329 *Harmond Q. 01.94*  
Actions for damages  
8/2/84

81. Mr P H P GASTROW asked the Minister of Law and Order:

- (1) Whether any actions for damages brought against him and/or any members of the Police force by persons who had been detained in terms of section 6 of the Terrorism Act, or by their next of kin, were settled out of court in 1983; if so, (a) how many, (b) who were the plaintiffs and (c) what were the terms of settlement in each case;
- (2) whether any moneys were paid to any of the plaintiffs; if so, what amount in each case;
- (3) whether any such actions are pending; if so, (a) how many and (b) who are the plaintiffs?

## The MINISTER OF LAW AND ORDER:

- (1) No.
- (2) Falls away.
- (3) No.

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FANERS  
600BT  
variable power 250-  
watts for carpets  
hard floor & "Bag  
indicator" Flex  
bags, auto cord re-  
s & Built-in access-  
compartment.

## Natalie's last film to be released

Pretoria Bureau

The science fiction thriller "Brainstorm", which was American actress Natalie Wood's last movie, will be released in South Africa shortly with a 2-10 age restriction and no cuts.

"Brainstorm" was reviewed today by the Publications Appeal Board in Pretoria and the board rejected arguments by a publications committee that the film should be cut in two places.

Miss Wood drowned after falling from a yacht moored off Catalina Island in November 1981 while filming "Brainstorm". She was 43. After her death, film director Douglas Trumbull battled with the movie moguls of MGM for two years to complete the thriller.

### DIFFICULTY

Although it shows the difficulty experienced by the producer in putting together a film with limited footage starring the main female star, "Brainstorm" has much to offer.

It tells the story of a brilliant scientist portrayed by Louise Fletcher, of "One flew over the cuckoo's nest" fame, who has her work hijacked by the establishment for sinister purposes.

Another scientific genius, played by Christopher Walken, helps her to fight the system. Miss Wood played the part of his wife, a high technology designer.

## 'Gun muzzle was flush with detainee's head'

By Andrew Beattie

Political detainee Mr Paris Molefe Malatji died almost instantly when he was shot with a pistol held with the muzzle pressed against his forehead, an expert witness told the Rand Supreme Court yesterday.

The chief district surgeon, Dr V D Kemp, was giving evidence at the trial of a security policeman, Detective Sergeant Jan Harm van As (27).

Detective Sergeant van As, who was stationed at the Protea police station in Soweto, has pleaded not guilty to a charge of murdering Mr Malatji on July 5 last year at the Protea police station.

Mr Malatji and Detective Sergeant van As were alone in an office at the time of the alleged murder.

The defence claimed Mr Malatji committed suicide by shooting himself after snatching Detective Sergeant van As' pistol from his holster while his back was turned.

Lengthy technical evidence was led in the hearing yesterday.

Dr Kemp told the court that a 9 mm bullet had entered Mr Malatji's head, leaving a star-shaped hole about 3 cm wide, and had exited leaving a 2 cm hole. Gunpowder blackening had been

found deep in the wound, indicating that the pistol had been held directly against his head.

A police fingerprint expert told the court he had failed to detect any fingerprints on the pistol belonging to either Detective Sergeant van As or Mr Malatji. He also handed in the clothing Sergeant van As wore at the time of the shooting as exhibits.

A police forensic and ballistics expert, Detective Warrant Officer T F H Wolmarans, said he had been called to the scene of the incident and had drawn up a plan of the trajectory of the bullet.

Constable Johannes Marelets, also of the security police, told the court he had gone to fetch Mr Malatji and two other detainees at Dobsonville police station and had brought them to the Protea police station.

When asked if Mr Malatji seemed depressed, Constable Marelets replied: "While we were in the van Mr Malatji and I made jokes with each other. It was very pleasant."

Constable Marelets said he then left Mr Malatji in the custody of Detective Sergeant van As and twenty minutes later he heard a gun shot.

The hearing continues.  
Mr J H Liebenberg SC appeared for the defence and Mr K P C von Lieres SC for the State. Mr Justice F N Kirk-Cohen was on the Bench.

## Girl recovers after lightning bolt

A six-year-old girl narrowly escaped death when she was struck by lightning while playing in a treehouse in Fairland, Roodepoort, yesterday afternoon.

Kirsten Cheetham of Maluti Avenue, Quellerina, was in the treehouse with her brother, Justin (7), and two other boys while her mother, Mrs Erica Cheetham, was visiting a friend inside.

Mrs Cheetham said she saw lightning in the distance and heard a loud crack of thunder.

"The three boys dashed into the house. I clambered up the tree to look for Kirsten and found her unconscious and scarcely breathing.

"I took her to hospital where she was put into intensive care then later transferred to a general ward."

A Johannesburg Hospital spokesman said Kirsten was recovering.



Kirsten Cheetham

## Blast: only 1 lamp had gas de

By Carolyn Dempster, Labour Reporter

VRVHEID — Of the four flame-safety lamps found in the Hlobane Coal Mine after the fatal explosion on September 12 last year, only one was fitted with an attachment to detect methane gas.

This critical fact was brought to light today at the inquest and inquiry into the deaths of 68 miners after the gas explosion at the Iscor colliery.

Three of the lamps submitted to the court as evidence this morning were intact. The fourth, issued to deceased miner Mr T J Bezuidenhout that morning, according to the records, was found in two parts.

The magistrate, Mr N J Reynders, also heard how the section in which Mr Bezuidenhout was working, Section Five of the Boomlager workings, was elevated in the western area.

Methane gas, being lighter than air, tends to rise to the ceiling.

The aspirator, explained Mr Watson, would be used to test for methane gas at roof level and other parts difficult to reach.

In his evidence before court yesterday, Mr Watson said he believed it was in Section 5 that the explosion occurred.

He also stated: "I can only conclude that if Mr Bezuidenhout had tested for gas that morning, he would have found the accumu-

port were:  
● The accident occurred at a tilted down conditions are to some coal Evidence Mthethwa, sh water problem ber 12.  
● On a report week before scence of fou area: "Mr Si me that he h had tested fo

# Minnear 'lost' military job in Ciskei

Argus Correspondent

PRETORIA. — A key witness testifying on behalf of Major-General Talieffer Minnear lost his job in the Ciskei following his testimony, General Minnear has disclosed in an interview.

Speaking from his home after long extradition proceedings, General Minnear, the former state security adviser to the Ciskei, expressed his sorrow at the dismissal of fellow military officer Mr. Jean-Paul Guerrier.

General Minnear learnt yesterday that a Pretoria magistrate, Mr. A C Klopper, had ruled that he would not be extradited to the Ciskei.

Mr Klopper said no evidence presented before him warranted extradition and he could not find General Min-

near criminally connected to the Ciskei Government's allegations.

General Minnear said Mr Guerrier was one of only two people who "dared" come forward on his behalf. "He was fired within a week of his court appearance and that is very sad because he was a good military instructor," General Minnear said.

"I am very sorry for what is happening in the Ciskei because so much work went into it all and now it's coming to nothing."

He said one of the greatest problems he faced during the extradition proceedings was that potential witnesses were not prepared to testify for him. His month-long detention in the Ciskei could have been far worse. "The

most difficult thing was solitary confinement when I was allowed no visitors and that included my wife."

He had not been maltreated in any way and was respected in accordance with his rank. Prison warders went out of their way to make his ordeal less difficult.

He had the highest praise for the South African Security Police. "They had treated him with respect."

"The prison authorities in South Africa were also marvellous in going out of their way to be friendly and helpful."

His observation period in Westkopjes Hospital was not a pleasant experience but the inmates were wonderful. Mrs Mara Minnear, who attended ev-

ery court hearing and organised her husband's release from Westkopjes, said it had been a trying time but she had managed to cope somehow.

"You just have to. I had tremendous support from family and friends," she said.

What really upset General Minnear was the confiscation of all his personal possessions in the Ciskei. "We would like our weapons back, especially the family heirloom," Mrs Minnear said.

These weapons were part of the alleged "illegal" arms for which the Ciskei requested the General's return.

General Minnear said he had received job offers from South African military and security firms.

# 'No complaints' about PE man's interrogation

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Political Correspondent

CAPE TOWN — The Minister of Law and Order, Mr Louis le Grange, has confirmed that Mr Mkhutshel Jack, chairman of the Port Elizabeth Youth Congress, was recently held and interrogated by security policemen in Port Elizabeth.

Replying yesterday in Parliament to Mr John Malcomess, Progressive Federal Party MP for Port Elizabeth Central, Mr le Grange said Mr Jack was taken to the New Brighton police station and questioned "as a result of alleged

intimidatory behaviour".

The questioning, the Minister said, lasted 30 minutes. No charges had so far been laid against Mr Jack, but "the matter is still under investigation".

He said he had received no complaints concerning Mr Jack's interrogation.

In reply to another question from Mr Malcomess, Mr le Grange said the case of alleged malicious damage to property at the Port Elizabeth Black Sash offices had been closed as "undetected", owing to a lack of clues and evidence.

Giving particulars of the case, the Minister said a number of windows of the

advice office of the Black Sash were shattered while slogans in red spray paint appeared on others. The damage, he said, was estimated at about R400.

In reply to Mr Tian van der Merwe, PPP MP for Green Point, Mr le Grange said four members of the Koevoet fighting unit had been convicted of offences since the establishment of the unit.

One was convicted for pointing a firearm, and three for common assault.

Asked whether the unit had been investigated, the Minister said: "No special investigation was instituted into the training, methods or activities of Koevoet as this unit is constantly subject to inspections by senior officers."

The Minister of Justice, Mr Kobie Coetsee, told Parliament 44 persons were at present serving life sentences for offences against the security of the state.

He was replying to Mrs Helen Suzman, PPP MP for Houghton.



Mr J MALCOMESS  
... focus on PE

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# Detainee's head 'at table level' theory

Own Correspondent

**JOHANNESBURG** A Mr Molatsi, expert police ballistics expert, told the Rand Supreme Court yesterday that Mr Paris Molatsi's head was possibly at table level when he was shot in the forehead in an office at the Protea security police station.

Detective Warrant-Officer Thomas Wolmarans told the court he agreed with this conclusion after calculating that the bullet

which passed through Mr Molatsi's head hit the floor at an angle of between 26 and 28 degrees.

The State alleges that Detective Sergeant Jan van As, 27, a security policeman of Min-dalor, shot and killed Mr Molatsi with his 9mm service pistol during interrogation at the police station last July 5.

Sergeant Van As pleaded not guilty to the murder charge. He claims Mr Molatsi committed suicide.

Warrant-Officer Wolmarans, of the South African Criminal Bureau in Pretoria, told the court he had fired about 1 000 shots with the alleged murder weapon for ballistics purposes.

He told Mr Justice F.N. Kfir-Cohen he found that the empty cartridge found at the scene of the incident and which allegedly killed Mr Molatsi was fired from Warrant-Officer Wolmarans' 9mm pistol.

Warrant-Officer Wolmarans said it took the bullet between 0.014 and 0.002 seconds to pass through Mr Molatsi's head from the time the trigger was pulled.

He agreed under cross-examination by Mr Schalk Burger, appearing for Sergeant Van As, that his calculations might be wrong because he had not taken all factors into account including the fact that the bullet had to pass through two skull bones.

Warrant-Officer Wolmarans told the court Sergeant Van As's holster, from which Mr Molatsi allegedly grabbed the pistol, was not of standard police issue. However, it compared favourably to police holsters and the 9mm Beretta pistol rested "perfectly" in it, he said.

Warrant-Officer Wolmarans explained that the holster has a clip which fits around the back of the holster mechanism of the pistol. The clip also has a thumb release which enables the shooter to remove the pistol in a hurry.

Mr Burger told the court Mr Van As would not have been prevented from the holster if it was cocked and locked. He said the pistol could not be removed from the holster if it was cocked and locked because the hammer then prevented it from sliding out of the holster.

The hearing continues today.



# Dead detainee may have been crouching

Political detainee Mr Paris Malatji could have been in a crouched position when he was shot in the head, a police ballistics expert suggested in the Rand Supreme Court yesterday at the trial of a security policeman.

Sergeant Jan Harm van As (27) had pleaded not guilty to a charge of murdering Mr Malatji on July 5 last year at the Protea police station. The policeman alleged that Mr Malatji grabbed his 9 mm pistol and shot himself in the head.

A police ballistics expert, Warrant Officer T Wolmarans, said that Mr Malatji's head could have been in line with the office table when shot. He reached this conclusion after calculating the angle from which the bullet struck the floor, at between 26 and 28 degrees.

Warrant Officer Wolmarans said that during his experiments he had fired more than 1 000 bullets.

He had also tested the alleged murder weapon and the holster worn by Sergeant van As to determine how secure the safety catch was and how easy or difficult it was to remove the pistol from the holster.

The expert found that the pistol's safety catch could not be released when pulled out of the holster. The pistol could also not slide out easily unless some pressure was applied.

Warrant Officer Wolmarans said the security policeman was not wearing a holster issued by the police force.

He said tests showed that the fatal



Detective Sergeant Jan Harm van As

bullet took about 0.014 of a second from the time it was fired until it left the back of Mr Malatji's head.

The tests were sent to a police general who would be giving evidence on this aspect later in the trial, said Warrant Officer Wolmarans.

The hearing continues today.

Mr K P H von Lieres SC and Miss N Fleischack appeared for the State, Mr J H Liebenberg SC and Mr S Burger appeared for Sergeant van As.

## One death in detention

NA 645 9/2/84

Parliamentary Staff

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ONE person died in 1983 while being detained in terms of the security laws, according to the Minister of Law and Order, Mr Louis le Grange.

Replying to a question from Mrs Helen Suzman (PFP Houghton), Mr le Grange said Thembié S Mndawe was detained on February 24 and he died on March 8.

Asked the cause of death, the Minister said inquest proceedings had not yet been completed.



Det-Sgt Jan Harm van As, 27 (right), leaving the Supreme Court during lunch recess yesterday. He is charged with killing by shooting a detainee under his charge. His companion was not identified.



The parents and sisters of the dead detainee, Mr Paris Malatji, outside the Rand Supreme Court yesterday. From left to right, Mr Abram Malatji, his wife Margaret and Dodo (extreme right).

# Shot man's head 'maybe at table level'

By TONI REYNEKE  
Court Reporter

A POLICE ballistics expert told the Rand Supreme Court yesterday that Mr Paris Malatji's head was possibly at table level when he was shot in the forehead in an office at the Protea Security Police Station.

Detective Warrant-Officer Thomas Wolmarans told the court he came to this conclusion after calculating that the bullet, which passed through Mr Malatji's head, hit the floor at an angle of between 26° to 28°.

The State alleges Detective-Sergeant Jan Harm van As, 27, a security policeman of Mindaloro, Krugersdorp, shot dead Mr Malatji with his 9mm service pistol during interrogation at the Security Police Station last July 5.

Sergeant Van As pleaded not guilty to the murder charge.

He claims Mr Malatji committed suicide.

W/O Wolmarans, of the South African Criminal Bureau in Pretoria, told the court he had fired approximately 1 000 shots with the alleged murder weapon for ballistic purposes.

He told Mr Justice F N Kirk-Cohen that the empty cartridge found at the scene of the death, and which allegedly killed Mr Malatji, was fired from Sergeant Van As' pistol.

W/O Wolmarans said it took the bullet between 0,0014 seconds to 0,002 seconds to pass through Mr Malatji's head after the trigger was pulled.

He also calculated that the bullet hit the floor at an angle of between 26° to 28° before it ricocheted into a wall.

He agreed under cross-examination by Mr Schaik Burger, appearing for Sergeant Van As, that his calculations might be wrong because he did not take all the factors into account, and also did not take into account that the bullet had to pass through two skull bones.

W/O Wolmarans said that

if the slowest time is accepted as correct, the stability of the bullet as it left the muzzle of the pistol was normal.

He told the court Sergeant Van As' holster, from which Mr Malatji allegedly grabbed the pistol, was not of standard police issue.

However, it compared favourably with police holsters and the 9mm Beretta pistol rested 'perfectly' in it, he said.

W/O Wolmarans explained that the holster had a clip which fastened around the back of the hammer mechanism of the pistol.

The clip also had a thumb release which enabled one to remove the pistol in a hurry.

Mr Burger told the court Mr Van As would say his pistol was cocked and the safety catch on in his holster when Mr Malatji grabbed it.

According to experiments carried out by W/O Wolmarans using the pistol and holster, he experienced no difficulty in removing the pistol from the clipped holster... if it was in the so-called 'cock and lock' position.

He said the pistol could not be removed from the holster if it was not cocked, for the hammer then prevented it from sliding out of the holster.

He said it would be easy for a person with some knowledge of firearms to see the pistol was cocked and that he need only loosen the safety catch to fire.

W/O Wolmarans said the trigger mechanism of the pistol was put out of action and could not fire when the muzzle was pressed hard against an object.

However it was not necessary to press hard against a surface area to have a contact shot.

The hearing continues to day. Mr Klaus von Lieres, SC, and Miss Natalie Fleischack are appearing for the State. Mr J H Liebenberg, SC, and Mr Burger are appearing for Sergeant Van As.

Picture: RAYMOND PRESTON

## 'Dead man could have lived'

MR SAMUEL Tshikudo (53), who died in detention in Venda last month, could have been saved if he had been given proper medication, medical tests have revealed.

A spokesman for the office of Mr Ismael Ayob, who is acting for the Tshikudo family and six other detainees in Venda, said that the family pathologist, Dr Jonathan Gluckman, found that Mr Tshikudo's life could have been saved.

"Dr Gluckman found that Mr Tshikudo need not have died if he had been treated properly," the spokesman said.

A post-mortem on Mr Tshikudo was conducted more than a week ago and tissue tests were done thereafter.

Dr Gluckman has given the attorneys a verbal report so far, and a written report is expected soon.

The cause of Mr Tshikudo's death, according to the medical report, was salmonella enteritis, a disease closely aligned to typhoid.

Mr Tshikudo was the 56th person in South Africa and the second in Venda to die while detained under security legislation.

Two other detainees who were held with Mr Tshikudo, Mr Alfred Denga (37) and Mr Petrus Mudzielwana (43), were admitted to hospital. Mr Denga was subsequently removed from the hospital.

Prior to his admission to hospital, Mr Denga was visited by his wife at the offices of the Venda Security Police. After the visit his wife said his eyes were sunken, he had lost a lot of weight and she could hardly recognise him.

(S29)

(S29)

Shukh

9/12/84

# Dead<sup>11/2/84</sup> detainee: Forensic<sup>329</sup> evidence

Argus Correspondent

JOHANNESBURG. — Traces of gunpowder should have been found on the hands of political detainee Mr Paris Malatji after he had allegedly shot himself. But no deposits were found on his hands during tests, a Rand Supreme Court judge has heard.

This was the essence of evidence by Major-General Lothar Neethling, head of the police forensic bureau, when he gave evidence at the trial of a security policeman, Sergeant Jan Harm van As, 27, of Protea police station.

Sergeant van As has pleaded not guilty of murdering Mr Malatji on July 5 last year at his office. He alleged that Mr Malatji grabbed his, Sergeant van As's, 9 mm service pistol and shot himself in the forehead.

After General Neethling was sworn in yesterday, defence counsel Mr J H Liebenberg, SC, objected to the admissibility of his evidence on the grounds that the defence had not been given details about his evidence and that the general would be carrying out the court's functions by reconstructing the events.

Mr Justice F N Kirk-Cohen overruled the objection.

## BLOOD SPURTED

General Neethling said he did not find traces of gunpowder on Mr Malatji's hands or those of Sergeant van As. He said if there were deposits, they would not have been erased when Mr Malatji's hands were removed from behind his body by police investigators.

It was impossible for a person who had fired a shot not to have any residue on his hands.

The general described the direction in which blood had spurted during experiments.

He said it was well-known that blood would spurt in the opposite direction to the entrance wound.

Earlier, Lieutenant P Joubert, also of the forensic bureau, used a life-size dummy to point out tiny blood spots found on Sergeant van As's shirt and trousers.

He found bloodspots matching Mr Malatji's group on the left side of the policeman's shirt and on the right leg of his trousers.

The hearing continues today.

Mr K P C von Lieres, SC, and Miss N Fliet-  
"chuck" appeared for the State. Mr Liebenberg  
and Mr S Burger appeared for Sergeant van  
As.

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'Blood spots found on policeman's clothes'

# Detainee 'was shot dead at close range'

By TONI REYNEKE  
Court Reporter

A BALLISTICS EXPERT said in the Rand Supreme Court yesterday that he could reconstruct the position of a political detainee, Mr Paris Malatji, as it was at the time he was allegedly shot dead by a security policeman at Protea Police Headquarters in Soweto.

Major-General Lothar Neethling, Senior Deputy Commissioner of Police, said he could calculate Mr Malatji's approximate position on the scene of the crime. However, it was impossible to pinpoint exactly where Mr Malatji was standing when he was shot through the forehead.

This evidence was heard at the trial of Sergeant Jan Harm van As, 27, of Mindalore, Krugersdorp, who is

charged with Mr Malatji's murder on July 5 last year.

He has pleaded not guilty. Gen Neethling said that by using accepted physical formulae and taking into account the direction of the blood spurts found in Sgt Van As' office, one could determine the approximate area.

He said the bullet which killed Mr Malatji hit the floor at an angle of not less than 26 degrees.

He could find no traces of gunpowder on either the hands of Mr Malatji or Sgt Van As.

Sgt Van As claims Mr Malatji shot himself.

Gen Neethling said he did not accept that gunpowder marks could have been erased from Mr Malatji's hands when they (the hands) were removed from underneath his body.

Residue marks could only be re-

moved if one washed one's hands by continuously rubbing them together, or if one put them into one's pockets several times.

He calculated that the fatal bullet left Mr Malatji's head at a minimum speed of 90m/second.

Gen Neethling said there was no chance Mr Malatji could have jerked his head away, thus altering the original track of the bullet when he was shot at close range.

Lieutenant Pierre Joubert, of the forensic laboratories in Pretoria, used a lifesize window dressing doll yesterday to indicate to the court where blood spots were found on Sgt Van As' clothing.

The hearing continues today.

Mr Justice F N Kirk-Cohen is on the Bench. Miss Natalie Fleischack is appearing with Mr L von Lieres for the State. Mr Schalk Burger and Mr J H Liebenberg are appearing for Sgt Van As.

(329)

Q. Col. 135

Security laws: detention

10/2/84

179. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) Whether any (a) males and (b) females under the age of 18 years were detained in terms of security laws in 1983; if so, how many in each category;
- (2) whether any of them were tried for any offence; if so, (a) how many, (b) for what offence in each case and (c) how many of them were convicted of the offence charged?

The MINISTER OF LAW AND ORDER:

- (1) (a) and (b) No.
- (2) Falls away.

SAGAD (Pty) Ltd—the tax-free goods shop at Jan Smuts Airport.

(2) Not according to the records of the Registrar of Companies on 9 February 1984.

(3) No. The matter falls outside the jurisdiction of this Department. It falls under customs and excise.

(a) and (b) Fall away.

#### Societies for the Prevention of Cruelty to Animals: representations

\*14. Mr D J DALLING asked the Minister of Justice:

(1) Whether he received any representations in the past two years concerning the amendment of (a) the Performing Animals Protection Act, No 24 of 1935, (b) the Animals Protection Act, No 71 of 1962, and/or (c) the regulations to the said Acts from the South African Federation of Societies for the Prevention of Cruelty to Animals; if so, (i) when and (ii) what was (aa) the nature of the representations and (bb) his response thereto;

(2) whether any action has been taken in this regard; if not, why not; if so, what action?

#### The MINISTER OF JUSTICE:

(1) (a) No.

(b) Yes, on 13 December 1982. Final motivation was submitted on 23 May 1983.

(c) No.

(i) 13 December 1982.

(ii) (aa) That the amount in sec-

tion 4 of the Act be increased.

(bb) That the proposal will be promoted as soon as circumstances permit.

(2) Yes, the proposal has been noted for promotion as soon as the opportunity presents itself.

#### Foreign newspapers: advertisements

\*15. Mr D J N MALCOMESS asked the Minister of Foreign Affairs:

Whether his Department placed any advertisements concerning South Africa in foreign newspapers in 1983; if so, (a) how many advertisements, (b) in which countries and (i) newspapers were they placed and (c) what was the total cost to the State of such advertisements?

#### \*The MINISTER OF FOREIGN AFFAIRS:

Yes. It is accepted that the hon member has the 1983/84 financial year in mind, as the planning of and budgeting for advertisements abroad coincide with the financial year.

(a) Altogether 96 placings in a series of four advertisements, as well as three *ad hoc* advertisements, have been planned.

(b) (i) The United States of America, Britain, Federal Republic of Germany, France and Austria.

(ii) *The USA:* Wall Street Journal, New York Times, Boston Globe, Chicago Tribune, Los Angeles Times, Cleveland Plain Dealer, Dallas Morning News, Denver Post, The Detroit News, Fortes, Business Week.

*Britain:* Daily Telegraph, The Times, The Guardian, The Scotsman, The Birmingham Post, The Yorkshire Post.

*Federal Republic of Germany:* Borsen Zeitung, Europäischer Gegenwart.

*France:* Cote Desosses, Valeurs Actuelles.

*Austria:* Profil.

(c) The advertisements are due to run until 31 March 1984. Final expenditure figures for the current financial year are therefore not yet available. Expenditure thus far amounts to R1 229 329.

\*16. Mrs H SUZMAN asked the Minister of Justice:

What are the names of the persons appointed to the board of review in terms of section 35 of the Internal Security Act, No 74 of 1982?

#### The MINISTER OF JUSTICE:

The Honourable W J Human, and Messrs M W Odendaal and L V de Kock.

Mrs H SUZMAN: Mr Speaker, arising out of the reply of the hon the Minister, could he tell the House the qualifications of these gentlemen?

The MINISTER: Mr Speaker, as far as the ordinary members are concerned, viz Messrs Odendaal and De Kock, their appointment was announced as far back as 22 July 1982. As far as I am aware the hon member has not to date challenged their appointment. The chairman is a retired judge. All these gentlemen are admirably qualified to fill these positions in terms of section 35 of the Internal Security Act, 1982.

Mrs H SUZMAN: I shall put a further question on the Question Paper in this connection.

#### Detainees

\*17. Mrs H SUZMAN asked the Minister of Law and Order:

Whether he has received any written representations from detainees held under section 29 of the Internal Security Act, No 74 of 1982, relating to their detention or release; if so, (a) how many and (b) in how many cases have the representations resulted in the release of the detainees concerned?

#### \*The MINISTER OF LAW AND ORDER:

Yes.

(a) Seven.

(b) None.

\*18. Mr W L VAN DER MERWE—Defence—[Reply standing over.]

\*19. Dr M S BARNARD—Law and Order—[Reply standing over.]

\*20. Mr P G SOAL—Law and Order—[Reply standing over.]

#### Cape Peninsula: offences

\*21. Mr C W EGLIN asked the Minister of Law and Order:

How many cases of (a) assault with intent to do grievous bodily harm, (b) culpable homicide, (c) murder, (d) rape and (e) robbery were reported at each police station in the Cape Peninsula in 1983?

The MINISTER OF LAW AND ORDER [Reply laid upon the Table with leave of House:]



# Charles Sebe trial on May 1

By KEITH ROSS

ZWELITSHA — The former head of Ciskei's combined forces, Mr Charles Sebe, will be brought to trial on unspecified charges under the National Security Act on May 1.

This was disclosed today when Mr Sebe, formerly lieutenant-general, appeared briefly in the Zwelitsha Magistrate's Court.

His attorney, Mr J Oosthuizen, insisted that a trial date be given after the State had asked for another postponement.

He said Mr Sebe had been in custody for seven months and was anxious that charges be heard.

The prosecutor, Mr P C Oosthuizen, said that when the indictment was ready it would be served on him.

329 474 E. Post  
10/2/82  
"With respect," said Mr J Oosthuizen, "that may be next year this time."

Today's hearing was preceded by drama when police moved Sebe family members from the front benches to the back.

They included Mr Sebe's wife, Nomafakathi, and his sister-in-law, Nobambo.

Last month when Mr Sebe appeared for remand a scuffle broke out as guards tried to stop him from reaching his wife and mother.

Today's hearing took place amid tight security.

Police mounted roadblocks at the entrances to Zwelitsha and all vehicles were searched. Hundreds of people were stopped from entering the court.

Mr M Ngogo was on the Bench.

By TONI REYNEKE  
Court Reporter

SERGEANT Jan Harm van As' claim that political detainee Mr Paris Malatsi had shot himself through the head, was unacceptable if the results of various forensic and ballistics tests were taken into account, a police ballistics expert told the Rand Supreme Court yesterday.

Major-General Lothar Neethling, Senior Deputy Commissioner of Police and head of the Police Forensics Laboratory in Pretoria, said Sgt Van As' defence could not be true if one took into account the distribution of minute blood flecks on his clothes and that of larger blood marks on the scene of the shooting.

If Mr Malatsi had shot himself under the circumstances described by Sgt Van As, he would have fallen on his back and not on his face, Gen Neethling said.

The further facts that no gunpowder marks were found on his hands and that Sgt Van As' pistol, the alleged murder weapon, was

removed, also made the allegation of suicide difficult to believe.

Sgt Van As has pleaded not guilty to murdering Mr Malatsi at Protea Police Headquarters in Soweto on July 5 last year.

The court was told Sgt Van As would say he was bending down behind a desk in his office in order to put a typewriter on the ground when he felt someone grab at his holster.

As he straightened and turned around he saw Mr Malatsi move backwards with his 9mm Beretta pistol in his hand. Mr Malatsi shot himself through the forehead and fell forward on his face.

Gen Neethling said this did not explain the concentration of

blood flecks on the left side of Sgt Van As' shirt, the outer left leg of his trousers and the inner right leg of the trousers.

He said that blood flecks of such small dimension could only be found within one metre of its source. This indicated Sgt Van As was very near Mr Malatsi when he was shot.

Using a scale model to reconstruct the events of that fateful day, Gen Neethling said he simulated the shooting incident to near perfection.

He said that according to the results of various forensic tests done by himself, Mr Malatsi's head was one to 1,5m above the

ground within a defined area of 50cm x 80cm when he was killed.

Gen Neethling said this ruled out suggestions that Mr Malatsi was standing when he was shot. He was either kneeling or sitting down.

Gen Neethling told Mr Justice F N Kirk-Cohen and two assessors he could determine the position of Mr Malatsi by determining the direction of the blood marks in the office and by calculating the angle at which the fatal bullet struck the floor in the office before lodging in a wall.

□ To Page 2

# Detainee did not shoot himself, says expert

RDM 11/2/84

329

# Trial told of blood specks

From Page 1

The model used in court was built in the Police Forensic Laboratories in Pretoria and contained the exact positions of furniture and documents found on the two desks in the office, as well as indicating the exact positions of the blood marks found after the incident.

Gen Neethling said he based his calculations on the blood found on two documents on a table nearest the office door, blood spots on the ceiling between two fluorescent tubes and blood found on the office walls and floor.

He said that according to the position of these blood spots, he could determine from which direction each one came.

Gen Neethling said he found the blood on the documents indicated clearly that its source was in a position at the furthest corner of the table standing closest to the office door.

He said the blood spots found in the 15mm space between the two fluorescent tubes in the ceiling indicated its source was in a position in the same area as the one that caused blood to fall on the documents. The same calculation applied to the blood found on one side of the fluorescent light and on the walls.

Gen Neethling said the well-defined blood spots found on the floor, indicated the wound from which it came was at a height of 1m above the floor.

He told the court he came to the conclusion that Mr Malatsi was either in a kneeling or sitting position.

He said Mr Malatsi could not possibly have been standing when he was killed as there would have been a different pattern of blood distribution on the floor, ceiling and documents.

Gen Neethling agreed with Mr J H Liebenberg, SC, for Sgt Van As, that Mr Malatsi could have been shot when he moved backwards stooping down slightly. He disagreed, however, that Sgt Van As was standing further than 1m away from Mr Malatsi at the critical moment.

Gen Neethling said he was not surprised that no fingerprints of either Mr Malatsi or Sgt Van As were found on the holster and pistol as some surfaces, like that of polished leather, did not lift fingerprints. He also said the Beretta pistol was not good at lifting fingerprints.

Gen Neethling will continue his evidence on Monday.

Mr Klaus von Lieres, SC, and Miss Natalie Fleischack appear for the State. Mr Liebenberg and Mr Schalk Burger appear for Sgt Van As.

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## Mkhatshwa's trial date set

ALICE — The general-secretary of the Southern African Catholic Bishops' Conference, Father Smangaliso Mkhatshwa, appeared briefly in the magistrate's court here on three counts under the National Security Act.

He was remanded to March 7 for trial in the Zwelitsha regional court.

He was not asked to plead and no evidence was led.

He is charged with subversion, incitement and holding an unauthorised meeting.

The state alleges that on October 30

last year, near the science theatre lecture hall on the campus of Fort Hare he unlawfully and with intent to overthrow or endanger the state authority or to achieve constitutional change in Ciskei, fomented feelings of hostility between the different groups.

He is alleged to have encouraged a group to commit acts to cause disorder.

The state also alleges that his speech was likely to have incited people to commit public violence and that he addressed an unlawful gathering of more than 20 persons. — DDR.

## Xaba rape charge dropped

ZWELITSHA — Rape charges against Mr Mthuthuzeli Xaba, the son of the vice-president, the Reverend W. M. Xaba, were withdrawn in the magistrate's court here yesterday.

The prosecutor, Mr S. C. Mafiwane, told the court that the state had

since established that the alleged offence took place in the King William's Town district and the Ciskei court had no jurisdiction over the matter.

The magistrate, Mr M. M. Dimbaza, told Mr Xaba that the matter would be referred to the

attorney general of the Eastern Cape and he would be informed later of the outcome.

The offence was allegedly committed in 1982 and Mr Xaba was charged in July last year.

Mr B. B. Ntonga appeared for Mr Xaba. — DDR.

# 29 Star 11/2/82 **Detainee on knees when shot — police**

By Michael Tissong

Political detainee Mr Paris Molefe Malatje had most likely been in a kneeling position when he was shot in the head, an expert witness, Major-General Lothar Neethling, told a Rand Supreme Court yesterday.

General Neethling submitted to the court a scaled-down model of the interrogation room in which Mr Malatji died at Pretoria Police Station. The model room contained cardboard models of Mr Malatji in standing and kneeling positions.

General Neethling, head of the police forensic bureau, had been called to give expert evidence during the trial of Sergeant Jan Harm van As (27), who pleaded not guilty to a charge of murdering Mr Malatji on July 5 last year.

Sergeant van As said he had been alone with Mr Malatji when Mr Malatji had pulled out his 9 mm service pistol and shot himself in the forehead.

General Neethling demonstrated with the model room that the bullet had been fired at Mr Malatji's head at a downward angle of about 26 to 28 degrees. It went through Mr Malatji's head and ricocheted off the floor into the wall. Blood splashed on the floor, walls and ceiling and Mr Malatji fell face down, General Neethling said.

He described in detail, and speculated on, each of the many photographs of the blood splashes in the room. Documents taken from the office and which had traces of blood on were handed in to the court.

Defence advocate Mr J H Liebenberg said Sergeant van As had his back turned to Mr Malatji when he felt a tug at his holster. As Sergeant van As turned around, Mr Malatji pulled away in a crouching position, put the pistol to his head and fired.

Microscopic traces of blood were found on the front of Sergeant van As's shirt and trousers, indicating that he had been facing Mr Malatji at the time of the shooting.

General Neethling said the incident could not have occurred in the manner described by Mr Liebenberg. "The momentum of Mr Malatji pulling away from Sergeant van As in a crouching position and then shooting himself in the head would have made him fall backwards and not forward."

He said no fingerprints had been found on the pistol because the protective material of the firearm did not lend itself to taking fingerprints. No metal traces were found on Mr Malatji's hand and none could have been found because of the firearm's protective material.

Mr Justice F N Kirk-Cohen adjourned the case to Monday.

Mr K P C von Lieres (SC) and Miss N Fleischack appeared for the State. Mr Liebenberg, and Mr S Burger appeared for Sergeant van As.

# Ciskei holds ex-councillor

(329 8 167) City Press 12/2/84  
**CONTROVERSIAL**  
former Mdantsane  
councillor Caweni  
Sotyelelwa has been  
detained for a second  
time by the Ciskei  
Security Police.

His detention follo-  
wed shortly after he  
appeared in the Mdan-  
tsane Magistrate's Court  
on a charge of murder.

Mr. Sotyelelwa had  
failed to appear in court  
on the murder charge on  
January 26, and a war-  
rant of arrest was issued.  
Police brought him to  
court last week and after

being cautioned to ap-  
pear again on February  
17, he was arrested out-  
side court.

Mr Sotyelelwa caused  
a stir at a rally last  
year when he told Pre-  
sident Lennox Sebe  
people close to him wan-  
ted to overthrow him.

He was immediately  
detained, but released  
after General Charles  
Sebe was detained.

Mr Sotyelelwa caused  
another rumpus when  
he encouraged workers  
to board buses during the  
township's bus boycott.

THE MARCH ISSUE  
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# 'Mkhatshwa's suffering hurts God, too'

"AN assault on Father Smangaliso Mkhatshwa is a direct assault on the Church of God," the Rev Mvume Dandala, superintendent of the Port Elizabeth North Methodist Church, told a packed audience in New Brighton at the weekend.

He was the guest speaker at a New Brighton prayer service held for Father Mkhatshwa, the South African Catholic Bishops' Conference secretary general, and other people detained in South Africa and the homelands.



REV MVUME DANDALA -  
"direct assault on Church of  
God"

**By MONO  
BADELA**

Mr Mkhatshwa is due to appear before a Bisho court today.

Mr Dandala warned that persecution had never brought the Church to its knees and therefore Mr Mkhatshwa's continued detention by the Ciskei Government would never leave him broken.

Mr Dandala said no amount of "homelandism" would deter the Church of God and no amount of eloquence in defence of the new constitution would hoodwink the church from seeing the evils built into the philosophy of apartheid.

Mr Mkhatshwa was detained by the Ciskei security police in last October after addressing a group of students at the University of Fort Hare.

Mr Dandala said apartheid was a philosophy declared a heresy by a significant number of churches.

He said apartheid, whether implemented by a white government or a government of white, brown and Indian people, or by Africans who co-operated with it, had in the end to give way to a system built on the foundation of love.

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is**

329 (329) (329) (329)  
**UDF axing**

*City Press* 12/2/84  
★ BARELY a week after his release from detention, Border UDF president Steve Tshwete has been fired from his Ciskei teaching post at Peeltou.

Former Robben Island prisoner Tshwete, an English and history master for Std 10 pupils at the Phillip Mtswaku Senior Secondary School, was told the reasons for his dismissal would not be disclosed.



# Detainee's death unexplained <sup>(329)</sup> <sup>stan</sup> <sup>13/2/84</sup>

In our first column of this year, on January 23, we said that the DPSC had entered 1984 with fear rather than with hope for a more just and democratic South Africa. More specifically we expressed fear for the safety of the detainees in the hands of the Venda security police.

The very next day, the death of one of those detainees was announced. Farmer Samuel Tshikhudo's death remains to be explained.

Later Press reports indicate that other detainees may be in hospital and at the time of writing efforts to have the remaining detainees visited by lawyers and/or doctors remain frustrated.

In Ciskei there are still many detainees who likewise remain incommunicado. The famous interview by a team from the BBC of Father Smangaliso Mkhathshwa served to intensify, rather than to allay, fears

## OUR VIEW



The Detainees' Parents Support Committee

for his health and safety.

In Namibia too the ruthlessness of detention has been exposed and, if anything, conditions there seem to be worse than anywhere else.

Hence it is obvious that detentions remain the order of the day, though in several ways the security police tend to vary their policy. They now rather take people in for a few hours or a few days, releasing them again after intensive interrogation, and in the process try to instil the fear of further action against them, often also coercing

them to give information against others.

This policy of intimidation and disruption reduces the risks of protest from organised groups like ourselves.

Yes, we fear for our country, we fear for the future, when we ask ourselves what kind of sub-human mentality guides those anonymous "heroes" (we have encountered them before) who find satisfaction in stealthily desecrating a grave and, at night, damaging cars and property. In view of these senseless acts the fear we expressed is, unfortunately, fully justified.

And what kind of perverse reasoning ruled that it was necessary on Sunday February 5 to have the security police watch over — and take photos of — the quiet and moving religious ceremony in West Park Cemetery in remembrance of Neil Aggett's death two years ago, at his grave where the tombstone had been desecrated with red paint probably just a few hours earlier? Indeed, indeed: "Cry, the Beloved Country."

We are preparing a résumé of relevant statistics, but one should not forget that many arrests remain unreported and, sadly, remember that every statistic unit is a human individual — cut off from family and friend, and without recourse to legal assistance, contrary to all basic principles of human rights.

## Malatsi knelt — evidence

329  
By Rashid Chopdat

13/2/89  
Mr Paris Malatsi must have been kneeling when he was shot in the head — and it was also unlikely that he had shot himself, a police expert witness said in the Rand Supreme Court today.

Major General Lothar Neethling, head of the forensic bureau, said this in concluding his evidence at the trial of Sergeant Jan Harm van As (27), who was attached to the Security Police in Soweto.

Sergeant van As had pleaded not guilty to a charge of murdering Mr Malatsi, a political detainee, on July 5 last year.

The general said that because Mr Malatsi fell forward after being shot, he must have been kneeling. It was also unlikely that Mr Malatsi had shot himself in the forehead.

He based his conclusions on forensic and ballistic tests.

The hearing continues before Mr Justice F N Kirk-Cohen and two assessors.

329

2 The Cape Times, Tuesday, February 14, 1984 \*

# Sergeant tells of Malatsi 'suicide'

**Own Correspondent**

**JOHANNESBURG.** — The security policeman accused of murdering detainee Mr Paris Malatsi said in the Rand Supreme Court yesterday that he had wept with shock when Mr Malatsi had "shot himself".

Sergeant Jan Harm Van As, of Protea security headquarters in Soweto said Mr Malatsi had been detained on July 4 last year after information from other detainees that he had either been or was going for military training, that he had ANC ties and that he was reproducing ANC literature.

## 'No idea'

However, Mr Malatsi had had no idea why he was brought to the Protea police station for questioning on July 5.

Sergeant Van As said he did not know why a 24-year-old man with a clean record, who did not know why he had been detained, would kill himself.

Sergeant Van As, accused of murdering Mr Malatsi on July 5 with his 9mm Beretta pistol, pleaded not guilty. He told the court Mr Malatsi would have been more useful to him alive than dead.

Yesterday morning after the court reconvened, Mr J H Liebenberg, SC, for Sergeant Van As, said he had no questions to ask a forensic expert and earlier

witness, General Lothar Neethling.

General Neethling, head of the police forensic laboratory in Pretoria, told the court last week he did not accept Sergeant Van As's version of Mr Malatsi's death. He told the court Mr Malatsi most probably had been on his knees when he was shot through the forehead.

## Questioning

Sergeant Van As, married with two young children, told the court he had joined the police force in 1980. He had been transferred to the security branch at Protea six weeks before the incident. He had worked under the direct control of Lieutenant A Trollip and Detective Warrant-Officer A O Grundlingh.

He had given instructions for Mr Malatsi's detention on July 4, after receiving instructions from Lieutenant Trollip. On July 5 he had instructed two policemen to bring Mr Malatsi from the Dobsonville police station to Protea for questioning.

Sergeant Van As said he had taken Mr Malatsi to the office he shared with Warrant-Officer Grundlingh. He had been wearing his pistol in the cock-and-lock position, resting in its holster on his right hip. He had not been aware of the standing order that

no police officer might be armed when interrogating a suspect.

Sergeant Van As said Warrant-Officer Grundlingh had not been in the office. He had walked past Mr Malatsi around his desk to lift a typewriter to the ground. He had felt someone grab at his holster while he was bending down.

He had swung around and Mr Malatsi had moved back with the pistol in his hand and had shot himself.

"It all happened very fast. I have never seen so much blood before," Sergeant Van As said. He had been so shocked he had wept.

He had been suspended from the police force on July 16 and formally charged with Mr Malatsi's murder a few weeks later.

## Typewriter

He denied that he had held his pistol to Mr Malatsi's head while the latter was kneeling.

Under cross-examination by Mr Klaus von Lieres, SC, for the State, the sergeant said a typewriter allegedly used by Mr Malatsi and some ANC pamphlets he had allegedly reproduced had been handed to him on July 4.

Sergeant Van As said he had not told Mr Malatsi why he was being held or what he wanted from him.

The hearing continues.

By Rashid Choppat

# I found pistol in my holster after 'suicide'

Sergeant Jan Harm van As (27) told a Randburg Court judge today that he saw Mr. Paris Malaisi walking backwards in a low position with his knees bent before the police detainee shot himself in the forehead.

The security policeman said he (Sergeant van As) must have picked up his 9mm pistol after the shooting because it was

in his holster when he reported the alleged suicide to his senior, Lieutenant A Trollip.

Sergeant van As, who is attached to the security police in Soweto, pleaded not guilty to a charge of murdering Mr. Malaisi at the Protea police station last July 5. During cross-examina-

tion by Mr. K. P. C. von Lieres, SC, for the State, Sergeant van As was asked to repeat his version of the events leading to the shooting.

The sergeant said he fetched Mr. Malaisi from another office and escorted him to his office at Protea. After closing the door, he said, he

walked to his desk and picked up a typewriter which he alleged was found in Mr. Malaisi's house.

After he put the typewriter on the floor, Mr. Malaisi seized the pistol from his holster. Sergeant van As turned around and noticed that Mr. Malaisi was in a low

position and that his knees were bent.

The sergeant said Mr. Malaisi walked back towards in this position. Then the security policeman heard a shot.

He said he must have picked it up on his way out. Sergeant van As said he did not hear the safety catch being released before the shooting and did not hear the gun fall. He also could not see in which hand Mr. Malaisi

weapon was not in Mr. Malaisi's possession.

He would also submit that the sergeant's evidence about Mr. Malaisi moving backwards in a low kneeling position was a "fabrication".

Sergeant van As denied both these submissions during his evidence. The sergeant said it was his duty to inform

him had held the gun, or how he had held it to his head. The security policeman said he could not have observed these things because the shooting took place within a second.

Mr. von Lieres said he would submit that Sergeant van As did not hear the safety catch and the gun fall because the

Mr. Malaisi why he had been arrested and for what charge, but he did not do so. He did not inquire if the policeman who had arrested Mr. Malaisi had informed him of his rights.

The hearing continues before Mr. Justice F.N. Kirk-Cohen and two assessors.

# Sergeant says detainee shot himself

AKSUS 14/2/84 329

JOHANNESBURG. — Sergeant Jan Harm van As, 27, told a Rand Supreme Court judge today he saw Mr Paris Malatsi walking backwards in a low position with his knees bent before the political detainee allegedly shot himself in the forehead.

The sergeant said he must have picked up his 9mm pistol after the shooting because it was in his holster when he reported the incident to his senior, Lieutenant A Trollip.

Sergeant van As, of the security police, Soweto, has pleaded not guilty of murdering Mr Malatsi at the police station in Protea last July.

Cross-examined by Mr K P C von Lieres, SC, for the State, Sergeant van As said he fetched Mr Malatsi from another office and escorted him to his office.

He said he closed the door, walked to his desk and picked up a typewriter which, he alleged, had been found in Mr Malatsi's house.

## "Seized gun"

After he put the typewriter on the floor, Mr Malatsi seized the pistol from his holster. He turned around and saw Mr Malatsi was in a low position and his knees were bent.

Mr Malatsi walked backwards in this position. Then he heard a shot.

He reported to Lieutenant Trollip. He noticed his pistol was in his holster. He must have picked it up on his way out.

Sergeant van As said he did not hear the safety catch being released before the shooting, and he did not hear the gun fall. He also could not see in which hand Mr Malatsi held the gun, or how he held it to his head.

It was not possible to observe these things because the shooting took place within a second.

Mr von Lieres said he would submit that Sergeant van As did not hear the safety catch and the gun fall because the weapon was not in the possession of Mr Malatsi.

He would also submit that the sergeant's evidence about Mr Malatsi moving backwards in a low, kneeling position was a fabrication.

(Proceeding.)

# Detainee 'had no idea why he was arrested'

RDM 14/2/84

(329)

By TONI REYNEKE  
Court Reporter

POLITICAL detainee, Mr Paris Malatsi, had no idea why he was being detained by the Security Police when he allegedly shot himself, the Security Policeman accused of murdering him told the Rand Supreme Court yesterday.

In giving evidence in self-defence, Sergeant Jan Harm Van As, 27, of Protea Security Headquarters in Soweto said Mr Malatsi was arrested last July 4 after information received from other detainees that Mr Malatsi had either been or was preparing for military training, that he had ANC ties and that he was reproducing ANC literature.

However, Mr Malatsi had no idea why he was arrested and brought to Protea Police Station for questioning on July 5, Mr Justice F C Kirk-Cohen and two assessors heard.

Sgt Van As also said he does not know why a 24-year-old man with a clean criminal record who did not know his reason for detention would kill himself.

Sgt Van As, accused of murdering Mr Malatsi on July 5 with his 9 mm Beretta pistol, pleaded not guilty to the charge. He said Mr Malatsi was more useful to him alive.

Shortly after the court reconvened, Mr J H Liebenberg, SC, for Sgt Van As stated he had no questions for forensic expert, General Lothar Neethling.

Gen Neethling, head of the Police Forensic Laboratories in Pretoria, told the court last

week he did not accept Sgt Van As' version of Mr Malatsi's death. He said he had determined Mr Malatsi was most probably kneeling when he was shot through the forehead.

If Mr Malatsi was either squatting or standing upright, he would have fallen backwards after being shot, he said.

Gen Neethling also determined that Mr Malatsi's head was in an area covering approximately 400 sq cm, about one metre above the ground when he was shot.

He said the fact that no powder residue was found on Mr Malatsi's hands, indicates he did not hold the pistol which killed him.

Sgt Van As said he took Mr Malatsi, after his arrest, to the office he shared with Detective Warrant Officer A O Grundlingh. He was wearing his pistol in the cock-and-lock position resting in its holster on his right hip. Sgt Van As said he was unaware of the standing order that no police officer may be armed when interrogating a suspect.

He also told the court that a pistol which is not in the cock-and-lock position is "useless".

He denied he held his pistol to Mr Malatsi's head while the latter was kneeling.

Sgt Van As told the court under cross-examination by Mr Klaus von Lieres, SC, for the State, that he had not told Mr Malatsi why he was being held.

Mr Von Lieres: "You say the deceased who did not know why he was being detained and did not resist arrest, grabbed your pistol?"

Sgt van As: "Yes"


The hearing continues today.

329) Hansford  
Board of review 15/2/84  
Q. 61.210

272. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) How many cases were referred to the board of review in terms of the Internal Security Act in 1983;
- (2) whether the board recommended the withdrawal of any notices; if so, (a) how many and (b) with what results?

The MINISTER OF LAW AND ORDER:

- (1) 12 cases.
  - (2) No.
- 

5 FEBRUARY 1984

194

329 *Handwritten* Internal Security Act *Q. 61. 194*  
*5/2/84*

178. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) How many persons were charged with offences under the Internal Security Act in 1983;
- (2) how many of them (a) were (i) released without trial, (ii) acquitted and (iii) convicted of lesser offences and (b) are still on trial or awaiting trial;
- (3) for what period was each person detained before being charged or released?

The MINISTER OF LAW AND ORDER:

- (1) 24.
- (2) (a) (i) None.  
(ii) Three.  
(iii) None.
- (b) 15.

- (3) 1 for 160 days  
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2 .. 119 ..  
1 .. 87 ..  
1 .. 77 ..  
2 .. 75 ..  
1 .. 74 ..  
3 .. 68 ..  
1 .. 66 ..  
2 .. 61 ..  
1 .. 59 ..  
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1 .. 53 ..  
1 .. 51 ..  
1 .. 48 ..  
1 .. 25 ..  
3 .. 16 ..

NOTE: The figures in (1) do not include the 11 persons detained in terms of section 29 of the Internal Security Act, 1982 and subsequently charged with high treason. Of the last mentioned persons nine were convicted of high treason, while the trial of the other two is still pending.

195

WEDNESDAY, 1

#### Internal Security Act

180. Mrs H SUZMAN asked the Minister of Law and Order:

- (a) How many persons were detained in 1983 under section 29 (1) of the Internal Security Act, No 74 of 1982, (b) for how long was each of these persons detained and (c) how many of them are still being detained?

The MINISTER OF LAW AND ORDER:

- (a) 149 persons.
- (b) In view of the volume of work and the time involved in collecting and compiling the particulars asked for, I consider it impracticable to furnish the required information.
- (c) 19.



(329) *Dispatch 15/2/84*  
**Deported reporter  
detained in Ciskei**

EAST LONDON — Mr Goodwin Makongolo, the Ciskei journalist deported by the Transkei Government last week, was detained by Ciskei Security Police on Monday under Section 26 of the Ciskei Security Act.

This was confirmed by Ciskei police liaison officer, Major Avery Ngaki. Major Ngaki said Mr Makongolo had appeared before a magistrate that day. His case was postponed to a later date, but when he

went to the station commander at Mdantsane, he was handed over to the security police.

Mr Sabelo Ngani, also a journalist, said Mr Makongolo appeared in court before the magistrate, Mr Gideon Yokwana, for failure to appear in court on January 11 and 25 on two charges of assault with intent to do grievous bodily harm. He was warned to appear on March 12.

Mr Ngani said they took a cancellation of a warrant for his arrest to Captain M. Ntswahlana. He was handed over to the security police.

Mr Makongolo, who worked for a weekly newspaper, was released from detention in Ciskei in December before he moved to Transkei early last month. —  
DDR

# Path of bullet is questioned in Malatsi case

By Rashid Chopdat

The method used by the State to determine the flight of the bullet, which killed a political detainee, Mr. Paris Malatsi, was criticised in the Rand Supreme Court yesterday.

Dr Alwyn Burger, a neural pathologist, was a witness for the defence at the trial of a security policeman, Sergeant Jan Harm van As (27).

Sergeant van As had pleaded not guilty to a charge of murdering Mr. Malatsi on July 5 last year.

The State alleges that Mr. Malatsi was shot in the forehead by Sergeant van As while he was being interrogated at the security policeman's office in Protea, Soweto. Mr. Malatsi was allegedly gunned down while he was kneeling.

Sergeant van As had told the court that Mr. Malatsi

grabbed his 9 mm pistol and shot himself in the head. He said he saw Mr. Malatsi in a low position, with his knees bent, and that he was walking backwards.

Early in the hearing, Dr V D Kemp, who performed the post-mortem, told the court that Mr. Malatsi was shot in the forehead and suggested that the gun was placed flush on the head.

Dr Kemp said he had used the probe method to determine the flight of the bullet which he found went straight through the head.

Dr Burger, who said his hobby was terminal ballistics, criticised the probe method as inaccurate — specifically when it was used on the brain.

He said the use of this method was a contentious issue among neuro-surgeons. He admitted however

that the method, was used universally for ballistic purposes.

He said the brain was soft and that a hole could be made by pushing a finger through.

Dr Burger disagreed with Dr Kemp's view that the bullet went straight through the head. He suggested that the bullet could have deflected, bearing in mind that it went through the front and back bone of the skull.

As a hunter, Dr Burger found that bullets fired at a close range deflected more than those fired from far.

When the hearing resumes today, the defence and prosecution team will present legal argument before Mr Justice P N Kirk-Cohen and two assessors.

3079 *Hougaard* Board of review 17/2/84  
Col. 232  
7. Mrs H SUZMAN asked the Minister of Justice:

What are the qualifications of the persons appointed to the board of review in terms of section 35 of the Internal Security Act, No 74 of 1982, as referred to in his reply to Question No 16 on 10 February 1984?

\*The MINISTER OF COMMUNITY DEVELOPMENT (for the Minister of Justice)

The hon W J Human (LL.B) is a retired judge of the Transvaal Provincial Division of the Supreme Court of South Africa. Mr M W Odendaal (BA, LL.B) is an attorney of the Supreme Court of South Africa and Mr I. V de Kock (Diploma Legum) a retired regional court magistrate.

# Hanged suspect terrorist had claimed assault

By Clyde Johnson,  
Lowveld Bureau

329  
17/2/84

NELSPRUIT — A 24-year-old terrorist suspect who is alleged to have committed suicide in a police cell last March 8 had complained to a detainee inspector that he had been assaulted by two policemen.

This was told to a Nelspruit magistrate yesterday at the inquest into the death of Mr Thembuyise Simon Mndawe, whose body was found hanging from the rails of his police cell.

Lieutenant L. Slabbert, the officer investigating the alleged assault, said a detainee inspector visited Nelspruit Police Station last March 1.

He told Lieutenant Slabbert that Mr Mndawe had complained to him of being assaulted by two policemen, and was also unhappy about the washing facilities.

## OPERATION PLANNED

A zinc bath was then taken to Mr Mndawe's cell and arrangements made for a doctor to examine him.

The next day Lieutenant Slabbert took a sworn statement from Mr Mndawe, who said he had woken up in his cell with a broken cheekbone.

The Acting District Surgeon, Dr Frans Viljoen, said arrangements had been made for Mr Mndawe to have an operation to the injured cheekbone.

Dr Viljoen said Mr Mndawe was at first unco-operative and refused to discuss any problems.

But later he acted normally, and Dr Viljoen said he noticed no signs of depression and had no reason to suspect that Mr Mndawe was contemplating suicide.

The inquest continues today.

# State: detainee's <sup>329</sup>clean hands <sup>174184</sup>disprove suicide

The absence of any primer residue on the hands of political detainee Mr. Frans Malaisi indicated that he did not commit suicide by shooting himself. It was submitted yesterday in the Rand Supreme Court trial of a security policeman charged with murdering him, Mr. K. P. C. von Lieres S.C., prosecuting, said a small amount of residue should have been left on the hands of the man who killed Mr. Malaisi while he was being interrogated in Sergeant van As's office on July 5 last year. But the residue would disappear within 15 minutes if those hands were wiped against each other or on clothing.

Sergeant van As (27), who has denied murdering Mr. Malaisi by shooting him in the forehead, was the only other person in the office at that time. Mr. von Lieres told Mr. Justice F. N. Kfir-Cohen and two assessors that Sergeant van As would have had no motive to remove the residue from the hands of the detainee had he shot himself as this would have proved that he committed suicide.

"But if Sergeant van As — who was a fingerprint expert for two years and knew that the residue would provide positive evidence — shot the detainee, he would have had a very good reason to remove it from his own hands immediately."

Mr. von Lieres argued that though the State's case was based on circumstantial evidence, all the objective facts pointed to a conviction of murder. The police man's testimony was full of inconsistencies. His evidence that the detainee plucked his 9 mm. pistol from his holster and shot himself while he (Sergeant van As) was fiddling with a typewriter and his back was turned, was an invention.

"This officer with seven and a half years' detective experience, with his knowledge of the importance of security matters, should have had a sharpened vigilance under the circumstances."

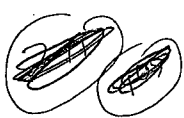
"It is highly unlikely that Mr. Malaisi, who wasn't even told what he was doing in the security office nor why he was detained, and who was in a perfectly normal state, should suddenly demonstrate such a depression that he commits suicide."

Mr. von Lieres said it was not alleged that Sergeant van As planned the murder before he took the detainee out of his cell, but in the office something could have happened to "trigger him off".

Mr. J. H. Liebenberg S.C. for the defence argued that there was no concrete evidence to convict Sergeant van As and that there was a reasonable possibility Mr. Malaisi committed suicide.

Judgment was postponed until Monday.

# Mgwali raid called inhuman by MPC



329  
E. Post

18/2/84

Weekend Post Reporter

THE detention of Mgwali villagers — including a 96-year-old man — on Thursday by Ciskeian police was today described by Mrs Molly Blackburn, MPC for Walmer, as an "inhuman act".

Villagers said 15 police vans carrying black and white police entered the village near Stutterheim after dark and left with about 15 residents, including the oldest inhabitant, Mr Herman Gija, 96.

All were members of the Mgwali Residents' Association which was opposed to the scheduled removal of the community to Frankfort in Ciskei.

The detentions were confirmed last night by Col Zebulon Makuzeni, head of Ciskei security police.

The head of Border security police, Col A P van der Merwe, said he had no knowledge of the raid.

Brigadier B Bekker, Divisional Commissioner of Police on the Border, said he had heard of the incident only yesterday afternoon and would investigate it when Ciskei's Commissioner of Police was in his office on Monday morning.

He could not say whether there had been consultation.

Mrs Blackburn said today: "It matters not one jot whether this inhuman act was carried out by the South African Police or the authorities of the Sebe re-

gime.

"Either way, both governments are sanctioning this forced removal.

"Anyone believing the stated intention of the new constitution to 'respect and to protect the human dignity, life, liberty and property of all in our midst' is either gullible or dishonest.

"Once and for all the world will know that the South African Government is hell-bent on its path to 'grand apartheid' — whatever the dreadful toll in human suffering."

The Grahamstown Rural Committee also condemned "in the strongest possible terms" the detention of the villagers.

It questioned "the action of the Ciskei Police in acting beyond their national boundaries" and said it rejected "this intimidation and harassment which has gone on for the three years during which Mgwilians have opposed their removal to Frankfort".

A spokesman for the Detainees' Support Committee (Descom) said in Port Elizabeth the committee deplored the fact that the Mgwali residents, as South Africans, received no protection from the Ciskei regime.

● It was reported from East London today that Mr Herman Gija holds freehold title deeds to four properties in the area, granted, as to 148 others, by Queen Victoria in the 1870s.

329  
**Mgwali residents detained**  
18.2.84

EAST LONDON — A number of Mgwali residents are in detention in Ciskei; the head of the Ciskei Security Police, Colonel Zebulon Makuzeni, confirmed yesterday.

According to Mgwali residents, about 15 Ciskei police vans arrived in the village, situated near Stutterheim, at 9.45 pm on Thursday, and left after midnight.

The residents said white policemen accompanied the Ciskei police.

The residents said the police searched homes and left with about 15 people, one of them 96-year-old Mr Herman Gija.

Other men who were reported missing from their homes after the raids are Mr Mike Gija, the son of Mr Herman Gija, Mr F. Kosani, Mr F. Nojlana, Mr Lizo Kotope, Mr M. Dyani, Mr F. Gwiba, Mr Sentikho Fanti and Mr Moto Kosani.

All men are members of the Mgwali Residents Association, a body which is opposing the scheduled removal of the community to Frankfort in Ciskei.

The head of the Border security police, Colonel A. P. van der Merwe, said yesterday that he had no knowledge of the raid.

"If this is a fact, then I would have known about it," he said. — DDR.

# 'Bloodshed feared if detainee released'

Staff Reporter 324

KING WILLIAM'S

TOWN. — South Africa's

Commissioner of Police,

General Johan Coetzee,

allegedly advised mem-

bers of the Ciskeian

armed forces not to try

and release one of their

fellow officers from de-

tention, as it could have

led to bloodshed.

This was said in evi-

dence at the Bisho Su-

preme Court trial of five

former members of the

Ciskeian armed forces,

facing charges of terror-

ism.

They are Mr Ntobeko

Mlotana, Mr Khambashe

Sebe, Mr Mbelelo Xaba,

Mr Colin Sebe, and Mr

Toni Sebe.

## AT HOME

They were at the home

of Lieutenant-General

Charles Sebe, former

commander of Ciskei's

combined forces on the

night of July 14, a former

Lieutenant-Colonel and

second-in-command of

the defence force, Mr N

Nkani told the court.

He added that the offi-

cers had gathered to dis-

cuss the detention of

Brigadier H Tamsanqa,

who was second-in-com-

mand to General Sebe.

Mr Nkani said he had

heard General Sebe

speaking on the tele-

phone to somebody he

addressed as "general".

General Sebe then told

the officers present that

General Coetzee had ad-

vised them not to try and

release Brigadier Tam-

sanqa, as this could lead

to bloodshed.

General Sebe was ad-

vised by General Coetzee

to go to Johannesburg.

General Sebe had ap-

pointed Colonel Pakade,

Colonel Tele, Colonel

Nonono, Lieutenant

Xaba, and his son, Cor-

poral Khambase Sebe, to

travel with him.

(Proceeding.)



CAPE TOWN 20/2/84  
329

# Man, 96, freed by Ciskei

Own Correspondent

PORT ELIZABETH. — Two men, including a 96-year-old resident detained with several other people from the South African village of Mgwali on Thursday night, have been released by Ciskeian police.

Mr Herman Gija, 96, grandfather of the vice-secretary of the Mgwali Residents' Association, Mr Mike Gija, and Mr M Dyani were released from detention in Dimbaza about 2am yesterday.

They were apparently not interrogated during their detention and Mr Gija was told he was being released because of his age. He insisted that Mr Dyani, who shared a cell with him, be released with him. A third man in the cell, Mr F Gwibe, was not released.

According to reports from the village, about 15 residents were detained by Ciskeian police who arrived at the village about 30km from the Ciskei border, near Stutterheim, in about 15 vehicles about 9.45pm on Thursday.

The detentions were confirmed by Colonel Zebulon Makukeni, head of the Ciskei security police. Colonel A P van der Merwe, head of the Border security police, denied knowledge of the raid.

A relative of Mr Gija's said he had refused to leave the cells without Mr Dyani because he had assisted Mr Dyani, who is blind, while in the cells and Mr Dyani "had helped me get off my mattress" because he was unable to move around or stand without his stick.

He had not had his stick while in detention because the police would not allow him to take it.

Mr Gija, who is hard of hearing, told a relative to tell the Eastern Province Herald in a telephone interview that he and Mr Dyani were treated well in detention and given food three times a day. They had not been questioned or given reasons for their detention.

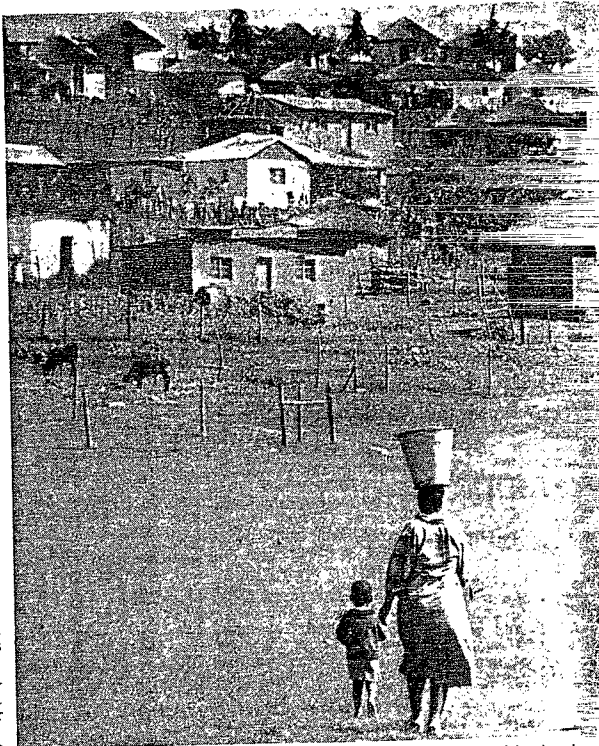
He had not been allowed to see his son Mike while in detention although he "kept asking" where he was.

Mr Gija expressed concern that without Mike there was nobody to run the family business — a shop — although Mike's wife was helping out "on and off".

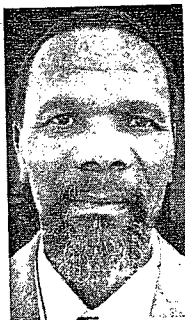
## PFPP deplores 'abduction'

• The Cape Provincial caucus of the Progressive Federal Party demanded last night that the government should publicly call the Ciskeian authorities to account for the detention of Mgwali residents.

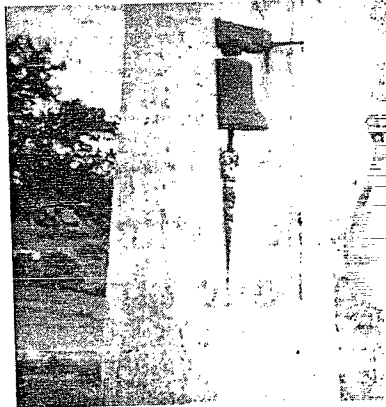
"The abduction and detention of 15 residents of the Cape Province from the Mgwali village near Stutterheim by Ciskeian police is deplored, is tantamount to anarchy and a complete breakdown of law and order," the PFPP caucus statement said.



Mgwali village where many of the householders have title deeds it to be allowed to stay



Mr Wilson Fanti, chairman of the Mgwali Residents Association — a prominent voice in the community's refusal to move to Peddie.



Mgwali's oldest resident, Mr Herman Gija, tower that he would never leave.



Mgwali village where many of the householders have title deeds to their land and have fought for several years to be allowed to stay.



Mr Wilson Fanti, chairman of the Mgwali Residents Association — a prominent voice in the community's refusal to move to Peddie.



Mgwali's oldest resident, Mr Herman Gija, 96, swore beside the village's historic clock tower that he would never leave the village in which he was born.

# Ex-detainee sues police for R113 000

Pretoria Correspondent

20/2/84

Threats of death.

A former security detainee, Mr Auret van Heerden, is suing 10 security policemen for R113 000 damages for allegedly torturing and assaulting him.

The Pretoria Supreme Court was today told that the "Benoni Squad", a group of five security policemen, waited until office workers had gone home so they could not hear Mr van Heerden's screams while being tortured.

The "Benoni Squad", as counsel dubbed it in court, allegedly subjected Mr van Heerden to:

- Having a tight-fitting bag placed over his head and face and water poured over it, suffocating him.
- Repeated electric shocks.
- Having the soles of his feet whipped with a sjambok.
- Strangling with a wet towel.
- Grabbing and squeezing of his testicles.

Mr van Heerden's counsel, Mr SW Kentridge SC, told the court this torture stopped when Mr van Heerden made a statement. This statement apparently satisfied the security policemen concerning Mr van Heerden's knowledge of the banned African National Congress.

He said Mr van Heerden made the statement because he feared he would not survive another night's torture.

Mr van Heerden was a prominent witness at the inquest into the death in detention of a fellow detainee, Dr Neil Aggett. He was also to be a key witness in the treason trial of the Rev Cedric Mayson, but Mr Mayson fled South Africa before his trial ended in Pretoria last year. Mr van Heerden was detained for 289 days in terms of the Terrorism Act and the Internal Security Act. No charge was brought against him.

Today's civil trial got off to a chaotic

start when the courtroom allocated for the hearing was too small for the six advocates, their instructing attorneys, volumes of documents, the 10 respondents, a large Press squad and several interested members of the public.

During the 36 hours the "Benoni Squad" questioned Mr van Heerden they worked in shifts, Mr Kentridge said, enabling them to interrogate him continuously. They kept him awake the whole time.

The respondents in the case are: Major Arthur B Cronwright, Major Stephanus J P Abrie, Major Johannes N Venter, Major P P Olivier, Warrant Officer Lawrence CP Prince, Lieutenant Hendrik CJ Pitout, Lieutenant P Botes, a Warrant Officer Fourie who was stationed at Benoni Police Station during the relevant period, Captain Andries A Struwig and Lieutenant Johan van Aswegen, who is now an articled clerk.

Mr Justice Eloff is on the Bench.

(Proceeding)

# R65 000 claim after detention

RDM 20/2/84  
329

Mail Reporter

A FORMER security law detainee, who alleges that he was tortured and assaulted while in detention, is claiming R65 000 damages from 10 security policemen in a civil case in the Pretoria Supreme Court today.

Mr Auret van Heerden was detained under Section 6 of the Terrorism Act and Section 12(b) of the Internal Security Act from September 1981 until July 1982. No charges were brought against him.

The case is seen as a major test of detention conditions.

The policemen concerned are Major A M Cronwright, a Major Abrie, Major J N Visser, a Major Olivier, War-rant Officer L C P Prince, Lieutenant H C J Pitout, Lieutenant P Botes, a War-rant Officer Fourie and Cap-tain A A Struwig, and a

national serviceman, Mr J van Aswegen.

Mr Van Heerden alleges that:

- 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.
- He was repeatedly given electric shocks.
- He was hit over the ears with open hands, knied 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.
- He was strangled with a wet towel.

7/12/74 D. R. Fortsch  
**Mgwali defentions  
defended** 329

EAST LONDON — The detention of certain Mgwali residents by Ciskei police had been necessary to maintain law and order in Mgwali according to a statement released yesterday by the Ciskei Department of Foreign Affairs.

Nine Mgwali residents were reportedly detained by Ciskei police last Thursday, one of them was 96-year-old Mr Herman Gija, who has since been released.

The statement, which was released in response to comments made by the Cape Provincial caucus of the Progressive Federal Party, condemned the PFP for making no attempt to establish the circumstances behind the action of the Ciskei Government.

"By the wildest inferences the PFP sought to suggest that this government supports the resettlement exercise currently being investigated by the South African Government in conjunction with the Mgwali community," the statement said.

Mr Herman Gija, the 96-year-old grandfather of the Mgwali Residents Association chairman,

Mr Mike Gija, was released from detention in Dimbaza at 3 am on Sunday morning.

He said he believed that seven Mgwali residents, including his grandson, remained in detention. These were Mr Mike Gija, Mr F. Kosani, Mr F. Noflana, Mr F. Gwiba, Mr S. Fanti, Mr M. Kosani and Mr L. Kotope.

Mr Gija said he had asked to see his grandson during his detention but police had refused his request. He said he was worried that the family business would suffer without Mike there to look after it.

Colonel Z. Makuzeni, head of Ciskei security police, would not comment on the Mgwali detentions yesterday. DDR

# Van As gets 10 years for shooting detainee

By Fiona Macleod  
A security policeman, Jan Harm van As, was jailed for 10 years today by a Rand Supreme Court judge for shooting a political detainee, Mr Paris Malatsi. Van As (27), who denied shooting the detainee, was convicted of culpable homicide.

Mr Justice F N Kirk-Cohen and two assessors found that he shot Mr Malatsi at point-blank range after taking him to his office at Protea, Soweto, for interrogation on July 5 last year.

## DEFENCELESS

In passing sentence, Mr Justice Kirk-Cohen said that Van As did not intend to shoot the detainee, but he had acted cold-bloodedly by holding the loaded gun to his head in an attempt at intimidation.

"Van As made the defenceless detainee kneel before him, unlocked the safety catch and held the loaded gun to his head.

"The possibility exists that, in the anxiety of the moment, Mr Malatsi tried to defend himself and the gun went off.

"Though the policeman did not intend to shoot, he had been with the police force for 7½ years and knew it was unlawful to aim a gun at his victim.

"The terrible consequences of his carelessness

was that a young man of 23 years died." Mr Justice Kirk-Cohen remarked that Van As had shown no remorse.

His career was in jeopardy and he had two children, but a heavy sentence was appropriate.

## TWO APPEALS

After sentence, Mr J H Liebenberg SC, for the defence, said that Van As would apply for leave to appeal against conviction and sentence.

Mr K P C von Lieres SC, for the State, said that an application would be made to appeal against the finding of culpable homicide. The State would apply for a

murder conviction.

Legal representatives of the family, Mrs. Priscilla Jana and Mr Clifford Mailer, who have been attending the trial, said that a civil claim for more than R50 000 would be brought against the Minister of Police.

● A spokesman at the Police Directorate of Public Relations in Pretoria said that Van As would still have to face a departmental investigation. Any action taken by the police in respect of Sergeant van As would only be taken after the departmental investigation. The results of such investigations are not usually released.

# DPSC condemns detainee directives

By Carolyn Dempster

The Detainees' Parents Support Committee has condemned the directions for the treatment of detainees, issued by the Minister of Law and Order in December 1982, as "worthless".

The condemnation was made today after security policeman Jan van As was found guilty of the culpable homicide of Mr Paris Malatsi.

In response to this judgment the DPSC stated: "Van As claimed in his evidence he was not even aware of the existence of these directions, in spite of the fact that one clause requires all members of the force to be instructed in them."

In contravention of the directions, Van As carried a firearm in the interrogation chamber and conducted the interrogation without another policeman present.

## 'DIRECTIONS DISREGARDED'

"We can only conclude the Minister's directions are being disregarded and do not afford the protection claimed," stated the DPSC.

Only the scrapping of the detention laws would achieve this, they added.

Deaths in detention would continue as long as the system remained in force. The fact that there had been a total of 56 deaths in detention so far confirmed the system was open to abuse, the DPSC said.

"Sergeant Jan van As has been found guilty of culpable homicide, but we believe that the detention system is guilty."

Any system which places a detainee at the total mercy of his interrogators, deprived of access to the due processes of law, can only lead to serious abuse, with death in detention an ever-present possibility.

# Policemen used electric shocks — ex-detainee

By Sheryl Raine,  
Pretoria Bureau

A former detainee — who was also once the president of Nusas — told the Pretoria Supreme Court today that he had been taken to the Benoni police station where he received such violent electric shocks to the base of his neck that he feared he would suffer permanent brain damage and become "a blithering idiot".

Mr Aurret van Heerden (29), of Kensington, Johannesburg, is claiming R113 000 damages from 10 security policemen after spending 289 days in detention from September 24 1981 to July 1982.

## DEFENDANTS

The 10 defendants are Major Arthur Cronwright, Major Stephanus Abrie, Major Johannes Visser, Major P P Olivier, Warrant-Officer Lawrence Prins, Lieutenant Hendrik Pitout, Lieutenant P Botes, Warrant-Officer Fourie and Captain Andries Struwig. The last defendant is Lieutenant Johann van Aswegen, who is no longer in the police force.

Mr van Heerden told Mr Justice Eloff in the Supreme Court today that he was taken to the Security Police offices on November 18 1981.

Earlier he had been denied his Bible because,



Mr Aurret van Heerden

Warrant-Officer Prins said: "Terrorists are not allowed to read the Bible."

Mr van Heerden described how, when he declined to provide the Security Police with a list of all the items they claimed were omitted from a previous statement which he had made, Major Olivier suggested that "the blood supply to his head be improved".

"For the rest of the day, my left ankle and right wrist were manacled together with handcuffs," Mr van Heerden said.

He told the court the Security Police waited until office workers went home at 4.30 pm so that more severe interrogation methods could be started and nobody would hear his screams.

"At about 6 pm, I was allowed to go to the toilet for the first time that day and, when I returned, I was made to sit on the floor of the office. Major Visser then produced a canvas bag the size of a money bag which was fitted very tightly on to my head and wet with water.

"Electric shocks were applied to my wrists, forearms, the inside of my ankles, soles of the feet, back of my neck and base of my spine.

"Major Arbrie, Major Visser, Warrant-Officer Prins and Major Olivier were present.

## SCREAMS

"I began floundering on the floor. As I received electric shocks, I instinctively screamed and found that I could not inhale because of the wet bag on my head. I wriggled on to my hands and knees emitting high, rasping screams.

"The bag was kept on my head most of the time but was periodically removed when I was asked questions.

"Shocks to the base of my neck were the most terrifying. Electricity ran up and down my body because I was now lying in a pool of water on the floor.

"I couldn't stop screaming and my body went into convulsions.

"Every time I received a shock at the base of my neck, I saw blue flames in front of my eyes."

The hearing continues.

# Death of detainee: Sergeant convicted

CAPE TIMES 21/2/84  
329

Own Correspondent

JOHANNESBURG. — Detective-Sergeant Jan Harm van As was yesterday found guilty of culpable homicide in the death in detention of a political detainee, Mr Paris Malatsi.

Van As, 27, had pressed his pistol against Mr Malatsi's head when the fatal shot was fired, the Rand Supreme Court found yesterday.

In convicting Van As, of the Protea Security Headquarters in Soweto, of a charge of culpable homicide, Mr Justice F C Kirk-Cohen rejected the claim by Van As that Mr Malatsi's death was suicide, and said Van As had acted negligently and recklessly.

The court found that Mr Malatsi, a defenceless person, was on his knees in front of Van As during interrogation in his office last July 5.

Mr Malatsi had heard the safety catch go off and had then felt the muzzle of the 9mm pistol pressed against his forehead.

"Such a person would react and try to ward off the imminent danger.

He could have pushed the arm holding the pistol away or grabbed hold of it. The pistol could then have gone off without Van As intending to pull the trigger," the judge said.

He said in his day-long judgment that the State had not proved beyond reasonable doubt that Van As had intended to kill Mr Malatsi.

Mr Justice Kirk-Cohen said the court accepted all the expert evidence submitted by the State.

## Fine urged

He and his assessors rejected the claim by Van As that Mr Malatsi had committed suicide. In fact, all the evidence pointed to the opposite, the judge said.

Mr J H Liebenberg, SC, for Van As, said in mitigation of sentence that his career as a policeman had ended. He asked the court to impose a fine and to keep Van As out of prison.

Mr K von Lieres, SC, for the State, said Van As had abused his power as a policeman. He asked for a long prison term.

Sentence will be passed today.



Sowetan 21/2/84

## Drama group 'detained'

329

FIVE members of the Khuvangano drama group and the Soweto Youth Co-operative Workshop were reportedly detained for questioning on Thursday and released at the weekend.

Those detained are believed to have included Mr Muzi Nkwanzana, leader of Khuvangano.

Several members of the Azanian People's Organisation (Azapo) were also reportedly detained for questioning after being taken from the Clarence Carter show at the Jabulani Amphitheatre in Soweto on Sunday.

Azapo was opposed

to the holding of the show in Soweto because the organisation is presently engaged in a campaign to isolate South Africa culturally.

The Azapo members were released after being questioned by po-

lice at Protea.

A spokesman for the public relations division of the police yesterday said they could not confirm nor deny the claims: "The police cannot comment on routine investigations," he said.



Mr Aurret van Heerden outside the Pretoria Supreme Court, where he is claiming R113 000 from several members of the Security Police for alleged assaults during his detention. The former Nusas president was held for 289 days without being charged.

Picture: GLEN MIDDLETON

## R113 000 SP assault case in court <sup>(329) RDM 2/12/84</sup>

### Pretoria Bureau

A FORMER Nusas president, who was held in Security Police detention for 289 days without being charged, claimed R113 000 damages from 10 security policemen in the Pretoria Supreme Court yesterday.

Mr Aurret Dennis van Heerden, 29, of Kensington, Johannesburg, brought the action against Major Arthur Benoni Cronwright, Major Stephanus J P Abrie, Major Johannes Nicolass Visser, Major P P Olivier, Warrant-Officer Lawrence Charles Phillip Rice, Lieutenant Hendrik Cornelius Jacobus Pitout, Lieutenant P Botes, a Warrant-Officer Fourie, Captain Andries Abraham Struwig and Lieutenant Johann van Aswegen, who is no

longer a policeman.

Mr Van Heerden, a graduate of the University of the Witwatersrand, told Mr Justice C F Eloff he was detained by four security policemen at the Army Offices in Pretoria on September 24, 1981, and was released from John Vorster Square on July 9, 1982.

He alleged that while in detention at the Pretoria Central Prison and Sandton, John Vorster Square and Benoni Police Stations he was assaulted and tortured during interrogation.

Mr Van Heerden said he had had some encounters with the Security Police before his detention as a result of his involvement in student and general politics.

He was detained for a

night in 1977, and was later held for four days. During 1980 he was detained on three separate occasions.

Mr Van Heerden said he started his national service in the middle of 1980. He was attached to the chief of personnel when he was detained by four security policemen and taken to John Vorster Square.

"Major Cronwright told me that I was detained in connection with Barbara Hogan, who was my comrade in arms", and I had to explain my relationship with her," Mr Van Heerden said.

He said he was questioned about his membership of the ANC and the code he used for correspondence and "dead" letter boxes.

He was always in leg-irons

during interrogation.

Mr Van Heerden said he was transferred from The Fort, in Johannesburg, to an isolation cell in the Pretoria Central Prison on September 30.

"The cell was narrow. The cell was the width of the bed and slightly longer than the bed. At the end there was a toilet bucket. I was kept in there for 24 days," Mr Van Heerden said.

He said he was questioned three or four times a week and was not allowed to sit down during interrogation.

He recalled an incident when, after a political argument, W/O Fourie slapped him twice across the face and gave him two karate-chops on the shoulders.

"That was the first time that I was assaulted," he said.

At the Sandton Police Station, Lieut Botes had threatened him with "third degree interrogation methods", he said, and he was interrogated for four to six hours on a daily basis. He was not assaulted.

And Lieut Pitout warned him that if interrogation did not produce the desired effects the "pigs" would be called in to take over.

"He told me I would love the pigs, crawl after them and kiss their arses," Mr Van Heerden said.

He was then moved to John Vorster Square.

Mr Van Heerden will continue his evidence today.

RSM 21/2/84 329

# Malatsi killer guilty of culpable homicide

By **TONI REYNEKE**  
Court Reporter

**POLICEMAN** Jan Harms van As, 27, was yesterday found guilty in the Rand Supreme Court of culpable homicide arising from the death in detention of Mr Paris Malatsi.

Van As, a detective sergeant, had pressed his pistol against the head of the political detainee when the fatal shot was fired, the court found.

In convicting Van As, of the Protea Security Police in Soweto, Mr Justice F C Kirk-Cohen rejected his claims of suicide and said he had acted negligently and recklessly.

The court found that Mr Malatsi, a defenceless person, was on his knees in front of Van As during interrogation in his office on July 5, last year.

Mr Malatsi heard the safety catch go off and then felt

the muzzle of the 9mm pistol pressed against his forehead.

"Such a person would react and try to ward off the imminent danger. He could have pushed the arm holding the pistol away or grabbed hold of it. The pistol could then have gone off without Van As intending to pull the trigger," Mr Justice Kirk-Cohen said.

In his day-long judgment, the judge said the State had not proved beyond reasonable doubt that Van As had intended to kill Mr Malatsi. He said Van As was negligent and reckless in his actions.

Mr Justice Kirk-Cohen said the court accepted all the expert evidence put forward by the State.

The State had proved with the evidence of Dr Vernon Kemp, acting State pathologist, that the bullet had moved in a straight line from wound to wound through Mr

Malatsi's head.

Mr Justice Kirk-Cohen said he and his assessors rejected Van As' claim that Mr Malatsi had committed suicide. They also rejected his evidence that Mr Malatsi had grabbed his pistol when he lifted a typewriter off his desk, or that the shooting took place soon after they entered his office.

He said he also rejected Van As' evidence that Mr Malatsi was standing in a upright position with his knees bent and that he was moving backwards when he shot himself.

"If Mr Malatsi was moving backwards in this position and then shot himself, he would have fallen over backwards and not forward as he did. We find Van As' version on this aspect impossible and false," he said.

Sentence will be passed today.

# Death of detainee: Sergeant convicted

CAPE TOWN 21/2/84

329

**Own Correspondent**  
JOHANNESBURG. — Detective-Sergeant Jan Harm van As was yesterday found guilty of culpable homicide in the death in detention of a political detainee, Mr Paris Malatsi.

Van As, 27, had pressed his pistol against Mr Malatsi's head when the fatal shot was fired, the Rand Supreme Court found yesterday.

In convicting Van As, of the Protea Security Headquarters in Soweto, of a charge of culpable homicide, Mr Justice F C Kirk-Cohen rejected the claim by Van As that Mr Malatsi's death was suicide, and said Van As had acted negligently and recklessly.

The court found that Mr Malatsi, a defenceless person, was on his knees in front of Van As during interrogation in his office last July 5.

Mr Malatsi had heard the safety catch go off and had then felt the muzzle of the 9mm pistol pressed against his forehead.

"Such a person would react and try to ward off the imminent danger.

He could have pushed the arm holding the pistol away or grabbed hold of it. The pistol could then have gone off without Van As intending to pull the trigger," the judge said.

He said in his day-long judgment that the State had not proved beyond reasonable doubt that Van As had intended to kill Mr Malatsi.

Mr Justice Kirk-Cohen said the court accepted all the expert evidence submitted by the State.

## Fine urged

He and his assessors rejected the claim by Van As that Mr Malatsi had committed suicide. In fact, all the evidence pointed to the opposite, the judge said.

Mr J H Liebenberg, SC, for Van As, said in mitigation of sentence that his career as a policeman had ended. He asked the court to impose a fine and to keep Van As out of prison.

Mr K von Lieres, SC, for the State, said Van As had abused his power as a policeman. He asked for a long prison term.

Sentence will be passed today.

# Stander cremated in US ceremony

**Own Correspondent**  
JOHANNESBURG. — Andre Stander — South Africa's most notorious fugitive in the past six months — has been cremated in Fort Lauderdale, Florida.

No members of his family were present. Only a South African consul, Mr Barend Oberholzer, presided over the affair.

Mr Oberholzer said yesterday that he was acting on behalf of the Stander family. All Stander's belongings,

returned to South Africa were still being finalized.

Andre Stander, who revelled in luxury and danger for six months while robbing about 20 banks with fellow escaped convicts, Patrick Lee McCall and Allen Heyl, was shot dead in a struggle with a Fort Lauderdale policeman last Monday — 14 days after McCall had been killed by South African police.

With Stander's death on a rainy driveway in Fort Lauderdale died

# Officer shot

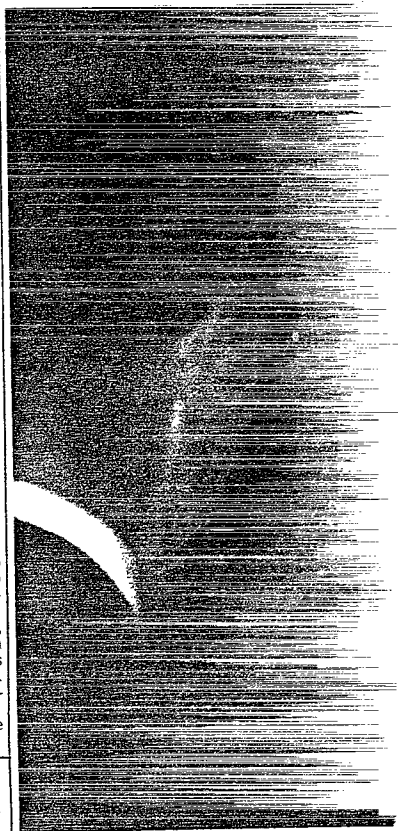
From TONY  
WEAVER

**WINDHOEK.** — A South African Defence Force officer was shot dead by one of his men in a duel after weeks of friction had culminated in a fight to the death deep in the bush of the Ovambo war zone,

Ondangwa police confirmed yesterday.

A police spokesman confirmed that Lieutenant Johannes Verhoef, 22, was shot dead by a rifleman while the two were taking part in a foot patrol in the Eheke district.

The incident, which occurred on February 9, was the climax of



General Alexander Haig, the former United States Secretary of Defense, is seen here at a ceremony in Stellenbosch, South Africa, before a dinner in his honour at the Stellenbosch Farmers Winery, right.

# Chamorro arrested in Buenos Aires

**BUENOS AIRES.** — The Argentine Navy School of Mechanics said to be one of the highest-ranking Argentine naval officers, Admiral Roberto Chamorro, was arrested in Buenos Aires yesterday. Chamorro, a former Argentine naval officer, was arrested while she was in detention. Argentina's highest-ranking naval officer.

# Policeman 'in tears' at bruises

PRETORIA. — A major in the security police had tears in his eyes when he saw the injuries on the back of a detainee who had been tortured by other security policemen, the Pretoria Supreme Court was told yesterday.

Mr Auret Dennis van Heerden, a former president of the National Union of South African Students, gave this evidence before Mr Justice CF Eloff in an action in which he is suing 10 security policemen for R113 000.

Mr Van Heerden's action for damages is based on his alleged torture and assaults on him by the security police while he was in detention for 289 days at Pretoria Central Prison, the Sandton police station, John Vorster Square and the Benoni police station between September 24, 1981, and July 9, 1982.

## Bible

Mr Van Heerden gave details of the alleged torture in the offices of the security police on November 18.

He said he was first assaulted when he was hit in the face at John Vorster Square by Warrant-Officer Lawrence Charles Phillip Prince.

Mr Van Heerden said he was driven to the Benoni police station. Warrant-Officer Prince took his Bible from his bag "because terrorists were not allowed to read the Bible".

## 'Biko'

During the journey to Benoni, the security policemen tried to intimidate and threaten him, and Warrant-Officer Prince told him they had killed Steve Biko and had emerged from the event unscathed.

They were not afraid to kill a "small fish" like him (Mr Van Heerden).

In the offices of the security police the following morning, his right wrist was handcuffed to his left ankle and he was in a bent-over position while he was interrogated.

He said he was in that position from about 8am to 6.30pm.

## 'Shocks'

Major PP Olivier struck him three or four times on the head to make him "think".

Mr Van Heerden said he had pains in his chest and could not breathe properly.

In the evening the handcuffs were taken off. A canvas bag was put over his head and water poured over it. Electric shocks were administered, he said.

He said the bag was pulled on and off, while he screamed for air.

Mr Van Heerden said the shocks were at the base of his neck, and continued for about 1½ hours.

His fingers were trodden on when he tried to remove the bag. He could not see the device used to give the shocks.

## 'Strangled'

After the shocks, Warrant-Officer Prince and Major Olivier held him in a sitting position. Major JN Visser, who was in front of him, thumped him hard on his head.

"Major R Visser took a metre-long bath towel and wrapped it around my neck and strangled me," he said.

During the assaults, the policemen had asked him who had recruited him to the African National Congress, the code he used for his correspondence, to whom he reported in the organization and about "dead-letter boxes".

He was grabbed by his hair and beard. He was kned in the face by Warrant-Officer Prince, his testicles were squeezed, and he was also assaulted on the soles of his feet.

## Bruises

The interrogation and assaults lasted until 10pm. He was taken to the toilet by Major X Olivier. When he removed his shirt, he found his back was covered in bruises.

"Major Olivier was upset at the sight of my back. I was surprised to see tears in his eyes. He said I should co-operate and gave me tips on how to answer to individual security policemen."

Mr Van Heerden said he had decided to make a statement after he had realized that his chances of surviving the second bout of torture were slight.

He said the security policemen were happy and smiled after they had read his statement.

## 'Psychotherapy'

Mr Van Heerden said he was taken to John Vorster Square in leg-irons on November 21 and made to write another statement. Then he was taken back to Benoni and returned to John Vorster Square on December 3.

The detention had changed his personality and he was undergoing psychotherapy. He had nightmares about his detention and torture and feared assassination, he said.

The 10 security policemen named are: Major Arthur Benoni Cronwright, Major Stephanes J P Abrie, Major JN Visser, Major PP Olivier, Warrant-Officer LCP Prince, Lieutenant HCJ Pitout, Lieutenant P Botes, a Warrant-Officer Fourie, Captain A A Struwig and Lieutenant Johan van Aswegen, who is no longer a policeman.

The hearing continues today. — Sapa

CPK Times 22/2/84 (229)

# PFP to probe abduction

## Political Staff

HOUSE OF ASSEMBLY.  
— Opposition spokesmen on Black Affairs will travel to Mgwali near Stutterheim this weekend to conduct an on-the-spot investigation of the alleged abduction and detention of residents by the Ciskeian security police.

Mr Errol Moorcroft (PFP Albany) and Mr Andrew Savage (PFP Walmer) will head a fact-finding mission on the raid, which has been deplored by the provincial caucus of their party as "tantamount to anarchy and a complete breakdown of law and order".

The raid was apparently aimed at curbing the activities of the Mgwali Residents' Association,

a body which is opposing the scheduled removal of the community to Frankfort in Ciskei.

The mission, said Mr Moorcroft, would "try to

## Business today

HOUSE OF ASSEMBLY.  
— Questions. Second reading debate — Part Appropriation Bill. Second readings — Additional Post Office Appropriation Bill, Government Villages Amendment Bill. — Sapa

ascertain what the Mgwali community really wants, because the government will inevitably claim that the community is willing to move".

Mr Moorcroft, who on Monday called for urgent government action to secure the release of the residents, yesterday met with the Minister of Law and Order, Mr Louis le Grange.

Although Mr Le Grange gave assurances that the matter would receive his full attention, he said he "was not yet in possession of the full facts".

Mr Moorcroft called the late-night detention of 96-year-old Mr Herman Gija by Ciskeian security police "brutal".

The raid will be raised in the House on Friday when the Minister of Foreign Affairs, Mr Pik Botha, will be asked to give his department's response on the Mgwali raid.

APL Times 22/12/84

# Magwali

## arrests: 329

### SA probe

Own Correspondent

PORT ELIZABETH. — An investigation into the incident in which several residents of Mgwali were arrested by Ciskeian police on Thursday night was under way, the Minister of Law and Order, Mr Louis le Grange, disclosed in Cape Town yesterday.

The raid has been confirmed by the Ciskeian security police chief, Colonel Z Makuzeni, and in a statement yesterday the Ciskeian Government said the action taken by Ciskei police "was necessary in order to maintain law and order".

Mr Errol Moorcroft announced that he and a fellow Eastern Cape Progressive Federal Party MP, Mr Andrew Savage, would attempt a "fact-finding mission" this weekend to discover what the community at Magwali really wanted, "because the government will inevitably claim that the community is willing to move".

# lan ark

By Jon Qwelane

The parents of security police detainee Paris Molefe Malatji said last night they were relieved that their son's killer had been brought to book.

Mr Abram Malatji and his wife Margaret said at their home in Mofolo, Soweto, that they were even more pleased with the State's dissatisfaction over the verdict.

## Malatjis pleased with court finding

"Even if I won't see my son again at least it was fair that for the first time a policeman was convicted for the death of a detainee, even though the charge was reduced

from murder to one of culpable homicide," Mr Malatji said.

He had expected a stiffer sentence. "But this (sentence) gives hope that in future if there are any

deaths in detention tough action will be taken against the culprits.

"I won't get my child back but at least something has been done," Mr Malatji said.

His wife said their son was picked up by members of the Security Police from a friend's home and the first the family was formally told of his death had been when she and her husband were telephoned at work by a relation who urged them to come home immediately.

"Policemen from Protea only told my children that Paris had had an accident, and the children went to call their aunt from a nearby house. The policemen told her that Paris had been involved in a shooting accident and was dead.

"They said that was all they had been sent to say and they had no further details," Mrs Malatji said.

### LEGAL ACTION

It was not the first time Paris had been held by the police. It had happened on two previous occasions and on the third when police did not find him at home they left him a note to report to their offices.

The Malatjis are considering suing the Minister of Law and Order for much more than the R50 000 reported yesterday "though it won't bring Paris back".

The secretary general of the South African Council of Churches, Bishop Desmond Tutu, said last night the Malatji verdict was "very interesting" in the light of cases such as those of Mr Steve Biko and Dr Neil Aggett where "it was clear to everybody except the magistrates that something untoward had happened."

## Reef told it's to get 100 km-long toll road

CAPE TOWN — The National Transport Commission (NTC) had decided the 100 km-long south Rand road between Krugersdorp and Springs would be proclaimed a national road and constructed as a toll road, the Minister of Transport, Mr Hendrik Schoeman, said in Cape Town yesterday.

The decision was taken after the Transvaal Provincial Administration had, due to insufficient funds, approached himself and the NTC, he said in a statement.

"At present the Rand complex is served by a limited East-West corridor only and, on completion, the proposed road will meet a long-felt need and render a valuable contribution to alleviating present traffic problems," Mr Schoeman said.

Work on the project would start as soon as possible. The uncompleted portion of the Pinetown bypass in Natal would also be constructed as a toll road.

The Minister also announced the NTC had approved a R4 million contract for the re-sealing and maintenance of the N3 route between Villiers

and Warden in the Orange Free State, on the major road between the Witwatersrand and Durban.

"It is envisaged that tenders will be called for as soon as possible for the reconstruction and improvement of the N3 between Harrismith and Warden."

It was, however, recommended that traffic

use the route through Standerton and Newcastle for the next two years during construction work on the N3.

Due to insufficient funds the NTC had been compelled to allocate some of the funds originally earmarked for the Pinetown bypass in Natal to the rehabilitation and maintenance of the Warden-Harrismith road.

## Leppan resigns from council

By Erik Larsen, East Rand Bureau

Mystery surrounds the sudden resignation today of Germiston's management committee chairman, Mr Lew Leppan.

Mr Leppan, who has served on the city council for 13 years and has been management committee chairman for three years, has also resigned his position as councillor.

He handed his letter of resignation to the town clerk, Mr Jan du Plessis, this morning.

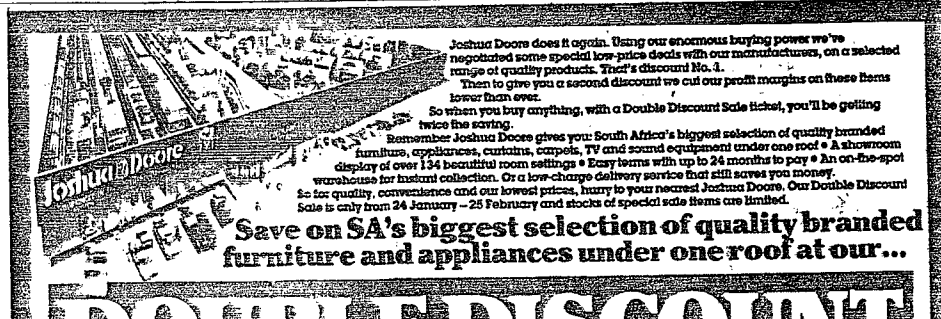
Mr Leppan did not give any reasons for his resignation in the letter and refused to comment.

He is due to appear in the Johannesburg Supreme Court next Monday.

A fellow city councillor, Mrs Winnie Haveloh, is taking him to court because she alleges he no longer meets the requirements of a city councillor as he resides outside the Germiston area. Mrs Haveloh could not be reached for comment, but it is understood she will now withdraw her action.

month. As the only Johannesburg, Jo-Ann hopes to make a big her Durban counterparts.

©Picture by Dale Yudelman.



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# Major 'tearful over detainee's injuries'

By J S MOJAPELO  
Pretoria Bureau

A MAJOR in the Security Police had tears in his eyes when he saw the injuries on the back of a detainee who had allegedly been tortured by other members of the Security Police, it was heard in the Pretoria Supreme Court yesterday.

Mr Aurret Dennis van Heerden, the former president of the National Union of South African Students (Nusas), gave this evidence before Mr Justice C F Eloff in an action in which he is suing 10 security policemen for R113 000.

Mr Van Heerden's action for damages is based on his alleged torture and assaults by the security police while he was in detention for 289 days in Pretoria Central Prison, Sandton Police Station, John Vorster Square and Benoni Police Station between September 24, 1981 and July 9, 1982.

Mr Van Heerden gave vivid details of the alleged torture, which he said took place in the offices of the security police on November 18.

He said he was first assaulted on the face at John Vorster Square by Warrant Officer Lawrence Charles Phillip Prince. He was angry and wanted to retaliate.

Mr Van Heerden, who spent the whole day in the witness box, said he was driven to Benoni Police Station by two security policemen. W-O Prince took his Bible from his bag "because terrorists were not allowed to read the Bible".

During the trip the policemen tried to intimidate and threaten him, he said, and before being interrogated he was told by W-O Prince that they had killed Steve Biko and nothing had happened to them.

Mr Van Heerden was told they were not afraid to kill a small "fish" like himself.

He was taken to the fourth floor office of the Security Police offices the following morning. His right wrist was handcuffed to his left ankle and he was then interrogated.

"It was an uncomfortable position. I was told if I sat down or fell I would be beaten up. I did not even cough, fearing I would be beaten up," Mr Van Heerden added.

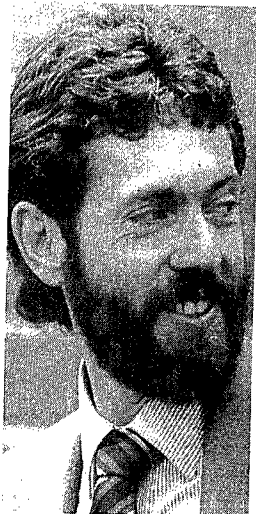
He said the handcuffs were changed at hourly intervals and that the interrogation carried on from 8am that morning to 6.30pm.

The attitude of the security police was that they were not going to ask him any questions but that he had to volunteer information, he said.

Major P P Olivier struck him thrice or four times on the head to make him "think". Mr Van Heerden said he experienced pains in the chest and could not inhale or breathe properly.

The police suggested that if he wanted to fall from the bent-over position, he must fall on his face. He managed to sit down while the policemen were not looking, he said.

He was not given anything to eat or



**MR AURET VAN HEERDEN**  
was told to 'volunteer information'

drink during the questioning. The police told him that the method of interrogation would change as soon as the office workers in the building had left.

Mr Van Heerden said after the handcuffs were taken off that evening, a canvas bag was put over his head and water poured over it.

Electric shocks were then administered. "I screamed and I could not inhale. I started to flounder around on the floor, gasping for air while the shocks went on," Mr Van Heerden testified.

He said the bag was pulled on and off. He was screaming for air and prayed that he would pass out. His body was in convulsions while the shocks continued.

"I thought my brain would be damaged permanently and my nervous system would pack up. The shocks went on for about one-and-a-half hours," Mr Van Heerden said.

He added his fingers were stamped on the floor when he tried to remove the bag over his head. He could not see the device used to administer the shocks.

After the shocks W-O Prince and Major P P Olivier held him in a sitting position. Major J N Visser then thumped him hard on his head.

"I felt that my eyes were recoiling into the back of my head. I lost focus temporarily. Maj Visser took a metre-long bath towel and wrapped it around my neck and strangled me. I prayed I would lose consciousness," Mr Van Heerden said.

During the assaults the police asked Mr Van Heerden who had recruited him to the ANC, the code he used for his correspondence, to whom he reported in

the organisation and about dead letter boxes.

The police told him he would be killed. He was grabbed by his hair and beard and knelt in the face by W-O Prince. His testicles were squeezed while he was in a sitting position, and the soles of his feet were beaten.

The interrogation and assaults lasted until 10pm. He was then taken to the toilet by Maj Olivier. He took off his shirt in the toilet and his back was covered in bruises.

Maj Olivier was upset at the sight of my back. He had tears in his eyes, which surprised me. He said I should co-operate and gave me tips on how to answer to individual policemen.

Mr Van Heerden said he decided to make a statement after he had realised that his chances of surviving the second bout of torture were slight.

"I thought I would die or suffer permanent injuries," Mr Van Heerden said. He said the security policemen smiled after they read his statement.

He was given three tablets by a policeman to reduce swellings and bruises. "The tablets did not work and seemed to have the opposite effect. My body started swelling," he added.

Mr Van Heerden said he was taken to John Vorster Square in leg irons on November 21. He was made to write another statement. He was taken back to Benoni and returned to John Vorster Square on December 3.

At that time the policemen showed concern for his physical condition, he said, and he was allowed to exercise at the police rugby ground.

Mr Van Heerden said the police threatened him against giving evidence at the inquest of the former trade unionist, Dr Neil Aggett. He was canvassed to give evidence for the State in the cases against Barbara Hogan and Cedric Mason.

He said even after torture he was not prepared to bear a grudge or despise the policemen. He was not prepared to confront them with the hate and anger some of them adopted against him.

He said detention had changed his personality and that he was undergoing psychotherapy. He had nightmares about his detention and torture and feared assassination.

Mr Van Heerden said his house had been attacked on several occasions. His brother's house had also been attacked and his car's windscreen had been shattered.

The hearing continues today. Mr Sydney Kentridge, SC, Mr J Browde SC and Mr B H Trengove appeared for Mr Van Heerden. Mr H Z Slemowitz SC, Mr S Burger and Mr J Gautsche appeared for the ten security policemen.

The policemen are: Maj Arthur Benoni Cronwright, Maj Stephanus J P Abrie, Maj J N Visser, Maj P P Olivier, W-O Prince, Lieutenant Hendrik Cornelius Jacobus Pitout, Lt P Botes, a W-O Fourie, Captain Andries Abraham Struwig, and Lt Johan van Aswegen, who is no longer a policeman.

## Why 10 policemen are being sued for R113 000

By Sheryl Raine,  
Pretoria Bureau

Mr Auret van Heerden, a former president of Nusas, has claimed R113 000 from the following security policemen:

Major Arthur Benoni Cronwright, Major Stephannes Abrie, Major Johannes Visser, Major P P Olivier, Warrant Officer Lawrence Prins, Lieutenant Hendrik Pitout, Lieutenant P Botes, a Warrant Officer Fourie, Captain Andries Struwig and Lieutenant Johann van Aswegen, who is no longer a policeman.

So far Mr van Heerden has claimed, among other things, that:

● Major Visser, Warrant Officer

Prins and Major Olivier were present when he was tortured on the fourth floor of the Benoni Police Station.

● Major Olivier slapped him on the side of the head several times "to help him think" during interrogation.

● Warrant Officer Prins and Major Cronwright threatened him and said he would not "squeal" about his treatment.

● Major Cronwright tape-recorded or monitored an interview he had with the Deputy Attorney-General of the Transvaal in a Johannesburg Supreme Court office on the inquest into the death of Dr Neil Aggett.

None of the men has yet had an opportunity to answer these allegations.

## Burglar stabs woman

Crime Staff

A 41-year-old Northcliff View woman who surprised two burglars in the kitchen of her home yesterday was attacked and stabbed in the chest by the men.

Mrs Jean Groenewald of Dawn Drive told police she walked into her kitchen about 8 am and was confronted by two men.

She tried to run away but one of the men stabbed her before they fled empty handed.

Mrs Groenewald was taken to hospital and later discharged.

# Ex-detainee fears assassination by SP

By Sheryl Raine,  
Pretoria Bureau

Looking pale and tired, Mr Auret van Heerden (29), a former Security Police detainee, had to sit yesterday afternoon while he was telling the Pretoria Supreme Court that he had been tortured for 36 hours and that his life had been deeply changed by his experiences.

Mr van Heerden is claiming R113 000 from 10 security policemen after spending 289 days in detention from September 24 1981 to July 9 1982.

Mr van Heerden said that, on November 18 and 19, he was tortured at Benoni police station. On November 20 and 22 he was deprived of sleep at John Vorster Square and was finally coerced into making statements regarding Barbara Hogan (who is serving a sentence for treason) and Mr Cedric Mayson.

Although Mr van Heerden was detained as a potential witness at the trials of these people, he was not called in the Hogan trial, did not give evidence at Mr Mayson's treason trial and has never been charged with any crime.

Referring to the short-term effects of the treatment he claimed to have suffered at the hands of the security police, Mr van Heerden said he had severe pains in his legs and back for two weeks after being given electric shocks.

He said he had difficulty walking, standing, sitting or lying down for two weeks afterwards and could not bend down properly to tie his shoelaces.

His head was swollen for 10 days, he said, and there was severe bruising over his right eye and the skin of his nose was scraped off when a security policeman kned him in the face.

"At no time was I taken to see a doctor but I was given headache pills and Major Visser massaged my back for me several times. Lieutenant Pitout even took me running and to the police gym

where he advised me to do certain exercises to help me recover."

Asked repeatedly why he did not report the alleged torture to magistrates, inspectors of detainees, the district surgeon and the Deputy Attorney-General of the Transvaal whom he saw while in detention, Mr van Heerden said such reports were handed directly back to the Security Police and he feared victimisation and revenge.

Regarding the long-term effects of his detention, Mr van Heerden told the court that his life and state of mind had altered considerably since he was detained.

He spoke about the difficulty of relating to other people, unreasonable intolerance, an exaggerated need for support, insecurity and the inability to fill the leadership roles he once held in organisations such as the National Union of South African Students (Nusas) and other political bodies.

Mr van Heerden said he feared for his safety.

"All the windows of my house which face the street have been smashed with bricks several times. The most recent occasion was 10 days ago."

"My brother's house has also been attacked and ransacked."

"I believe an attempt may be made on my life."

"Having been unable to charge me or intimidate me, the Security Police may decide to take the law into their own hands and the possibility of assassination cannot be ruled out. I feel that these are rational fears."

The case continues.



Mr van Heerden

at banks and building societies where they stayed at home, incapacitated by neck and leg injuries after a car crash.

● The trio was involved in 27 robberies, some on individual victims, netting R532 268 in cash.

Police yesterday also released a new picture of Heyl, 32, who was Stander's right-hand man, and asked anyone with information to contact the Brixton Murder and Robbery Squad at 837-4114 or the East Rand Murder and Robbery Squad at 55-8156.

Heyl, who is 1.8m tall, has thin light brown hair and wears thick glasses with brown rims. He reportedly pioneered the use of full-face helmets and powerful motorcycles in robberies for his disguise and escape purposes.

Brigadier Manie van der Linde, Head of the Brixton Murder and Robbery Squad, said yesterday that the charge of kidnapping of a policeman dated back to the time Stander and McCall escaped from a physiotherapists' consulting rooms in Cullinan, near Pretoria, last August.

Stander pistol-whipped a warder, and, with McCall, took three warder's guns. They then locked his victims, including two consultant women, in a warder's truck.

From there he took the car of one of the consultants and drove to a plot where he held up the owner, Mr M Riekert, and his son.

Then when Constable L Mostert arrived at the plot in a police van, Stander and McCall took the constable's identity documents at gunpoint.

## Van As gets 10 years for killing political detainee

By TONI REYNEKE  
Court Reporter

JAN Harm van As, 27, was yesterday jailed for 10 years by the Rand Supreme Court for causing the death of a political detainee. Mr Paris Malatsi, during questioning.

Van As will appeal against both conviction and sentence. He was convicted on a charge of culpable homicide on Monday. Mr Justice F C Kirk-Cohen said Van As had abused his power as a policeman by intimidating Mr Malatsi during interrogation, the court found.

His conviction followed the death of Mr Malatsi last July 5 in the Protea security headquarters in Soweto.

In passing sentence, Mr Justice Kirk-Cohen said a

young man of 23-years had lost his life as a result of Van As' unlawful actions.

The court found Van As had made Mr Malatsi kneel in front of him to beg for mercy. He then took his loaded and cocked 9mm pistol from its holster, undid the safety catch and pressed the muzzle against the forehead of the defenceless Mr Malatsi. It was possible the shot went off accidentally when Mr Malatsi tried to push Van As' hand away, Mr Justice Kirk-Cohen said.

Both Mr K von Lieres, SC, for the State, and Mr J H Liebenberg, SC, for Van As noted their intent to appeal.

Mr Von Lieres said he believed the court erred in convicting Van As on a charge of

culpable homicide and not murder.

Mr Liebenberg said he intended appealing against both Van As' conviction and sentence.

The application for leave to appeal was postponed for 14 court days after the judgment had become available.

● A representative of the Malatsi family said they had already instituted a civil action in which they were claiming R50 000 damages from the Minister of Law and Order.

The trial proved that the Ministerial directives on interrogation did not protect detainees, the Detainees Parents Support Committee said in a statement yesterday.



MISS KATIE RABBETT  
She enchanted Queen too

## The girl who won Andy fr

By IAN HOBBS  
London Bureau

LONDON. — Tall and beautiful surgeon's daughter Miss Katie Rabbett was the reason for actress Koo Stark being swept out of Prince Andrew's life, it was reported yesterday.

Prince Andrew had been secretly dating the elegant blonde model since last October, and the Queen was "enchanted and full of approval" when she met her at Buckingham Palace last month.

The Prince has never been as discreet with a girlfriend before, and headlines yesterday

said she was his "new love" and he was "smitten" by her.

He was photographed leaving her large suburban home in West London at 1.30am on Sunday after she had thrown a cosy 24th birthday party for him.

The couple kissed lovingly before Prince Andrew drove off in a blue Ford Grenada with a police escort.

Six hours later Miss Rabbett, looking devastating in a snow-white cashmere outfit, left the house and floored photographers with a devastating smile — but just laughed off questions.

Hours later she was on the catwalk at a top fashion show, modelling spring outfits and charming Pressmen — though she said nothing about her affair with Prince Andrew.

With her glistening hair, beauty, cool charm, sophistication and discretion, she is being billed as far and away the most impressive girl to have captivated the Prince.

Miss Rabbett's father, Robert, a widely-respected gynaecologist, and her mother, Jane, have suddenly had their quiet home besieged by Pressmen and photographers



This car, belonging to Mrs P Tipp, went under a bridge on the R77 near Germiston 3pm yesterday. Mrs P Tipp was unhurt apart from a scratch on the nose.

# 10 years for killing detainee

*ARC Times*  
22/2/84  
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JOHANNESBURG. — A security policeman, Jan Harm van As, was jailed for 10 years yesterday by a Rand Supreme Court judge for shooting a political detainee, Mr Paris Malatsi.

Van As, 27, who denied shooting the detainee, was convicted of culpable homicide.

Mr Justice F. N. Kirk-Cohen found that he shot Mr Malatsi at point-blank range after taking him to his Protea, Soweto, security office for interrogation on July 5 last year.

Passing sentence, Mr Justice Kirk-Cohen said Van As did not intend to shoot the detainee, but he had acted cold-bloodedly by holding the loading gun to his head in an attempt to intimidate him.

"Van As made the defenceless detainee kneel before him, unlocked the safety catch

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To page 2

B

P.T.O

# When and how the 56 deaths occurred

By Jon Qwelane

Jan Harm van As, the security policeman who killed Mr Paris Malatsi at the Soweto police headquarters in Protea last year, is the first person to have been convicted for the death of a detainee since detention without trial was introduced 21 years ago.

The known number of detainees who have died in custody is 56.

The following is a list of 55 people who have died in South African police cells and in the home-lands since detention without trial was introduced in 1963. As far as possible the causes of death as given officially are supplied. Details of the 56th detainee could not be obtained.

The list was compiled with the assistance of the South African Institute of Race Relations:

- Mr Bellington Mampe died on September 1 1963 and the cause of his death was never disclosed.
- Mr Solwandle Looksmart Ngudle "committed suicide by hanging" four days later.
- Mr James Tyitya "committed suicide by hanging" on January 24 1964.
- Mr Suliman Saloojee died on September 9 1964 when he "fell out of a seventh-floor window".
- Mr Nengeni Gaga died on May 7 1965 of "natural causes".
- Mr Pongolosa Hoyo died the following day, also of "natural causes".
- Mr James Hamakwayo "committed suicide by hanging" some time in 1966.
- Mr Hangula Shonyeka "committed suicide" on October 9 1966.
- Mr Leong Yun Pin "committed suicide by hanging" on November 19 1966.
- Mr Ah Yan "committed suicide by hanging" 11 days later.
- Mr Alpheus Maliba "committed suicide by hanging" on September 9 1967.
- Mr J B Tubakwe "committed suicide by hanging" two days later.
- On an undisclosed date an unidentified detainee died of undisclosed causes at an undisclosed place and the information was given to Parliament only on January 28 1969.
- Mr Nichodemus Kgoathe died on February 5 1969 of bronchial pneumonia, a complication of head injuries he suffered as a result of a "slip in the shower".
- Mr Solomon Modipane died 23 days later of "natural causes". Police said he "slipped on a piece of soap and fatally injured himself".
- Mr James Lenkoe died on March 10 1969 and the official version was "suicide by hanging." Post-mortem findings were consistent with hanging and electric shocks. There were copper traces in a wound on one of his toes.
- Mr Caleb Mayekiso died of "natural causes" on June 1 1969 but his wife said he had been in good health when detained, a fortnight before his death.
- Mr Michael Shivute "committed suicide" on the night he was detained.
- Mr Jacob Monakgotla died of a "thrombosis" on September 8 1969.
- Muslim leader Imam Abdullah Haroon died on September 27 1969 after "slipping down the stairs". There was never an explanation of how he received the 27 bruises found on his body.
- Mr Mthayeni Cuthsela died of "natural causes" on November 22 1969, but witnesses said he was assaulted frequently with sticks and given electric shocks through electrodes attached to his ears and penis.
- Mr Ahmed Timol "fell from the 10th floor" of John Vorster Square police headquarters on October 27 1971 during interrogation. The inquest verdict was suicide.
- Mr Joseph Mdluli died after "force was applied to the neck". Four security policemen charged with manslaughter were subsequently acquitted.
- Mr William Tshwane died on June 25 1976 "of gunshot wounds inflicted by the police" and his family was not told until October 14 1976.
- Mr Mapetla Mohapi died after "force was applied to his neck" on July 15 1976. The police said he had hanged himself with his jeans.
- Mr Luke Mazwembe was said by the police to have committed suicide on September 2 1976. The inquest adjourned without reaching a verdict.
- A Soweto schoolboy, Dumisani Mbatha, "became ill" and died on September 25 1976, according to the police. He died two days after being detained during a demonstration.
- Three days later Mr Fenuel Mogatusi died of an "epileptic fit" but his family said he had never been an epileptic.
- Mr Jacob Mashabane, a student, died on October 5 1976. Police said he "hanged himself" with his shirt.
- Four days later Mr Edward Mzolo died of undisclosed causes and no further explanation was is-

● On November 18 1976 Mr Ernest "Chief" Mama-shile "committed suicide by hanging" two days after his detention.

● One week later Mr Thabo Mosala died of "natural causes" which were explained as internal bleeding due to a gastric ulcer.

● Oxford-educated Soweto scientist Mr Wellington Tshazibane "committed suicide by hanging" two days after his detention. He died on December 11 1976.

● Mr George Botha allegedly committed suicide by jumping down a stairwell at the Port Elizabeth Security Police headquarters on December 15 1976. The post-mortem revealed that he had suffered several injuries before death. The inquest magistrate ruled death was due to a head wound for which nobody was to blame.

● Mr Tswalimfene Joyi died of undisclosed causes on an undisclosed date.

● Dr Nabaosh Ntshuntsha, who had earlier been present at the post-mortem on detainee Mr Mapetla Mohapi, died on January 9 1977 through "suicide by hanging".

Some days later the Minister of Police said "unauthorised" incisions carried out at the mortuary made a complete post-mortem impossible. A pathologist retained by the family said one incision was from the throat to the groin and another from ear to ear across the top of the skull.

● Mr Lawrence Ndzanga died of "natural causes" on the same day as Dr Ntshuntsha.

● Mr Elmon Malele died of "natural causes" 11 days after Dr Ntshuntsha and Mr Ndzanga. He died in a Johannesburg hospital after a brain operation, but the official version was "hypertension and spontaneous haemorrhaging." The inquest found no one was to blame for Mr Malele's death.

● Mr Matthews Mabelane "fell from a 10th-floor window" of John Vorster Square during interrogation on February 15 1977. The presiding officer at the inquest accepted the police statement that Mr Mabelane escaped on to a ledge and then fell accidentally.

● Mr Samuel Malinga died of "natural causes" on February 22 1977 in a Maritzburg hospital. He apparently died from respiratory failure after a stroke suffered in police detention.

● Mr Aaron Khoza "hanged himself" on March 26 1977. The inquest was told that he was found hanging by a jacket and shoelaces from the bars of the window in his cell, but photographs taken before the body was removed and produced as evidence in court cast doubt on this explanation.

● On July 7 1977 Mr Phakamile Mabija "fell from a window during interrogation" and the inquest was told that the windows, normally locked, had been opened that day to allow in fresh air. Mr Mabija's sister told the court a detective had said to her brother when he was taken away: "Say goodbye to your family, you will not see them again."

● Mr Elijah Loza died of "natural causes" on August 2 1977 and police said he died in hospital after a stroke. His daughter said that when she visited him in hospital she saw he was bruised and his head swollen.

"He was jerking so violently he had to be restrained and when I asked him which parts of his body were painful he pointed to his head, shoulders and private parts," she said.

● Dr Hoosen Haffeejee "hanged himself" a day after Mr Loza's death. The official post-mortem confirmed he had hanged himself with his trousers but an independent post-mortem revealed 25 abrasions on the body, arms and legs and a number of burn marks.

● Mr Steve Biko died of brain damage on September 12 1977. The inquest found nobody was to blame.

● On November 7 1977 Mr Bonaventura Malaza "hanged himself", according to police. There was no further explanation nor inquest into the death.

● Mr Mosala died in Transkei in mid-1977.

● On July 10 1978 Mr Lungile Tabalaza died when he "jumped from the fifth floor" of Security Police headquarters in Port Elizabeth.

● Mr Saul Sidzumo died of "natural causes" in Transkei on September 10 1980 and no inquest was held.

● Mr Tshifwe Muofhe died in Venda on November 12 1981 two days after he was detained by Security Police.

● On February 2 1982 Dr Neil Aggett "hanged himself" at John Vorster Square.

● On August 8 1982 Mr Moabi Ernest Dipale "haired himself" and a verdict of suicide was returned by the inquest magistrate.

● On March 8 1983 Mr Simon Mndawe was "found hanging" in his Nelspruit police cell. An inquest is proceeding.

● On July 5 1983 Mr Paris Malatsi was shot dead by security policeman Jan Harm van As. The policeman was charged with murder, found guilty of culpable homicide and sentenced to 10 years imprisonment.

● On January 20 this year Venda farmer Mr Samuel Tshikudo died "after a short illness" which, according to the homeland authorities, was typhoid and/or dia-

# Ex-detainee denies bid to smear police

PRETORIA. — A former detainee, Mr Auret van Heerden, has denied that his suing 10 security policemen was part of a deliberate anti-police smear campaign.

Mr Van Heerden is claiming R113 000 damages for torture he allegedly suffered during his 289 days in detention.

In cross-examination yesterday, Mr HZ Slomowitz put it to him that the court action was part of "a deliberate campaign to malign, smear and, if possible, destroy" the South African Police.

Mr Van Heerden denied this.

Mr Slomowitz asked him if the real motive behind this case was not publicity for his personal cause and for the African National Congress.

Mr Van Heerden denied this.

He had admitted he

had been able to give the security police useful information while in detention, Mr Slomowitz said.

"Yes, but I objected to the method used to extract the information," Mr Van Heerden said.

## Charade

Mr Van Heerden told the court he had a black eye, swollen face and cut nose when he was visited in his cell by the officer commanding the Benoni police station, a Major Combrink, on November 20, 1981.

He said Major Combrink asked him whether he had any complaints or any injuries.

"We both knew that we were taking part in a charade, because the injuries were visible," Mr Van Heerden said. They both signed an occurrence book that no injuries were found on Mr Van Heerden.

He was visited by the

Chief Magistrate of Benoni, Mr De Meyer, on November 30, and was again asked whether he had been injured, although his injuries were still visible.

Mr Van Heerden said his injuries were still visible when he was transferred back to John Vorster Square on December 3.

The security police were worried that his parents would see him before the injuries had healed.

Mr Van Heerden said he had two reasons for taking action against the security police.

The first was to get compensation for the wrongs the security police had done him, and the second was to act against the security laws which gave them "unchecked" powers.

He admitted that he was tortured to the point of death, but had not been prepared to

tell the security police everything he knew to compromise his friends.

## Amazement

When Mr Van Heerden told one of his interrogators, Lieutenant Hendrik Pitout, that he had been tortured by strangulation, electrocution and assaults at the Benoni offices of the security police, Lieutenant Pitout had expressed amazement.

Mr Van Heerden has brought action against Major Arthur Benoni Cronwright, Major Stephanus Abrie, Major J N Visser, Major P P Olivier, W/O Lawrence Charles Phillip Prince, Lieutenant Hendrik Pitout, Lieutenant P Botes, W/O Fourie, Captain Andries Abraham Struwig, and Lieutenant Johan van Aswegen, who is no longer a policeman.

The hearing continues today. — Sapa

# Court told Ciskei ex-army officer was tortured

**Argus Correspondent**  
**KING WILLIAM'S TOWN.** — A former Ciskei army officer, Mr Colin Sebe, was tortured by the police until he begged for his life, the Supreme Court in Bisho was told today.

Mr Sebe is one of five former members of the Ciskeian armed forces who are appearing in the Supreme Court on

charges of terrorism. The others are Mr Ntobeko Mlotana, Mr Khambashe Sebe, Mr Mbelelo Xaba and Mr Toni Sebe.

Mr Colin Sebe's defence counsel, Mr Roger Kriel, made the allegations of torture when cross-examining a member of Ciskei's security branch, Captain Z W Ngwanya.

Mr Kriel said Mr Sebe

would give evidence that he was tortured by Captain Ngwanya and other officers at the Mdantsane police station on July 21 last year. Mr Sebe, who was then a lieutenant and dressed in uniform, would say Captain Ngwanya took his badges of rank — supposedly on the orders of President Lennox Sebe.

—He would tell how he

was then put in handcuffs and leg-irons.

Mr Sebe would say he was kicked in his ribs and assaulted in an attempt to get him to admit involvement in an attack on the home of Ciskei's Minister of Foreign Affairs, Mr B N Pitso.

Mr Kriel said Mr Sebe would tell how a rubber tube was pulled over his

face and twisted behind his head with the effect of suffocating him. He would claim this was done by Captain Ngwanya, who released the tube every now and then so that he could breathe or answer questions.

Captain Ngwanya denied all Mr Sebe's allegations.

(Proceeding)

Section 23/2/84

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# A PLEDGE ON DETAINEES IN VENDA

THE Venda Government has undertaken to release five detainees held since November last year by tomorrow afternoon if they have not been charged by then.

The five were detained with Mr Samuel Tshikudo (53) who died in police custody last month.

The five who are still detained are Mr Robert Ratshitanga, Mr Alfred Denga, Mr Petrus Mudzielwana, Mr Samuel Radamba and Mr Wilson Sinywebe.

The undertaking was made by the commander of the Venda National Force, General Mulaudzi in the Venda Supreme Court during an application brought by families of the detainees to allow medical officers or a district surgeon to examine them.

## Release

The undertaking was noted by Mr Justice van Rhyen, the Chief Justice of the homeland.

General Mulaudzi undertook to release all five detainees by 4pm tomorrow should they not have been charged by the Attorney-General by that time.

He also undertook that the five would be examined by a doctor by 6pm today. He also admitted that one of the detainees, Mr Denga, was presently in hospital.

According to legal circles, this is the first time that such an undertaking has been made in court.



# Mgwali authority ours says Ciskei

*23/2/84*  
*D. R. [unclear]*  
**EAST LONDON** — The Ciskei Government claimed yesterday that, although Mgwali was situated in South Africa, Ciskei authorities administered the community.

In a statement the Ciskei Department of Foreign Affairs also said it was surprised at the announcement of Mr Errol Moorcroft, PFP MP for Albany, that he intended to visit Mgwali at the weekend.

The PFP's proposed visit, it said, would aggravate rather than solve the Mgwali problem. It advised Mr Moorcroft and his team to "cease this action".

The PFP resolved yesterday to go ahead with plans to send a mission to Mgwali despite the release of residents arrested by the Ciskeian security police and charges by the Ciskeian Department of Foreign Affairs that the visit is intended to stir up "revolutionary change" in the area.

The department said Ciskei did not believe in revolutionary change and Mr Moorcroft's actions would be interpreted by political activists operating at Mgwali as support for their cause. Both South Africa and

Ciskei could ill-afford such a state of affairs as it would hit both.

Mr Moorcroft, who is the PFP spokesman for black affairs in the Border area, said from Cape Town yesterday: "Mgwali does not belong to Ciskei and is not part of the sovereign state of the Ciskei."

Mr Moorcroft, who will lead the PFP fact-finding mission to Mgwali, said the South African authorities would be responsible for spending South African taxpayers' money in effecting the eventual move of Mgwali residents from their homes near Stutterheim to Frankfort in Ciskei.

"I therefore have every right to interest myself in both the reason for the move and the manner in which it is implemented," he said.

"To imply that the purpose of my visit is to encourage revolutionary action verges on the libellous — I dismiss it with contempt," he said.

Referring to the PFP's intended visit to Mgwali, the Ciskei statement said:

"This one-handed action negates the friendly relations that exist between South Africa and Ciskei.

"Mgwali is geographically located in South Africa, but is administered by Ciskei. Therefore, Ciskei has a legitimate right to protect its citizens residing at Mgwali and furthermore, the paramount citizen, Chieftainess Nolizwe Sandile, has full judicial authority to conduct the affairs of the Zibula Tribal Authority. The authority is part of Ciskei administratively.

Ciskei had, through the implementation committee, repeatedly advised the South African Government that any

## Seven detainees released

*23/2/84*  
*329*  
**EAST LONDON** — The remaining seven Mgwali residents who were detained by Ciskei police last Thursday were released from detention in Mdantsane yesterday.

Mr Mike Gija, the chairman of the Mgwali Residents Association, said that he and the six other men had been released at 8.30 am yesterday and taken to Mgwali in a government vehicle.

Two detainees, Mr Herman Gija, aged 96, and Mr M. Dyani, who is blind, were released on Sunday. — DDR

delay in matters concerning the removal of Mgwali people would have serious consequences since the community was divided, the statement said.

It accused the PFP of being keen on visiting Mgwali but of showing no interest in Crossroads where dogs were set on people.

"Ciskei would project the positive view that Mgwali be incorporated into Ciskei, seeing that it is administered by Ciskei and some residents are in favour of removal to Ciskei," the statement said.

"Ciskei undertakes to assist the people of Mgwali when an agreement has been reached between itself and the South African Government. But this was not on humanitarian grounds since Ciskei does not in any way associate itself with any type of forced removals," the statement said.

— DDR-DLC

Editorial opinion P18.

By JOHN MOJAPELO  
Pretoria Bureau

A FORMER student leader, who allegedly had serious facial injuries a day after alleged torture by the Security Police, told the Pretoria Supreme Court yesterday a senior policeman who visited him to inquire whether he had any complaints or injuries recorded that he had none.

Mr Auret Dennis van Heerden, 29, told Mr Justice C F Eloff that he had a black eye, swollen face and cut nose when he was visited in his cell by the officer commanding the Benoni Police Station, a Major Combrink, on November 20, 1981.

Mr Van Heerden, a former president of the National Union of South African Students (Nusas), said Maj Combrink had asked him whether he had any complaints or any injuries.

"I was smiling and he was also smiling. Both knew that we were taking part in a charade," Mr Van Heerden said.

Mr Van Heerden said Maj Combrink had been standing about two paces from him when the questions were asked. The injuries were visible.

Both signed an occurrence book that Mr Van Heerden had no injuries.

Mr Van Heerden said he thought Maj Combrink was part of the conspiracy to cover up the torture he suffered at the hands of the Security Police the previous day.

He said he would not have reported the torture to Maj Combrink because the information would have reached the Security Police.

He would then be further

'Facial wounds were clear to see'

# Detainee's 'injuries were not recorded'

RDM 23/2/84  
3201

tortured and victimised. Mr Van Heerden said he had been visited by the chief magistrate of Benoni, Mr De Meyer, on November 30.

Although Mr De Meyer had asked him whether he had been injured or had any complaints his facial injuries were patently visible.

"He was a friendly person. When he left I was not sure whether he noticed anything amiss with my condition. He was close enough to see everything," Mr Van Heerden said.

Mr Van Heerden said Mr De Meyer had a file but had not written down any of his replies. He was "very worried" the report of his complaints might be reported back to the Security Police.

Mr Van Heerden said his injuries were still visible when he was transferred back to John Vorster Square on December 3.

The Security Police were worried his parents would see him before the injuries healed.

Mr Van Heerden, who has been in the witness box since Monday, is suing 10 Security Police for R113 000.

He alleges he was assaulted and tortured by the Security Police while in detention from September 4, 1981, until July 9, 1982.

Mr Van Heerden said after the torture he had experienced nightmares. He went on the run while giving evidence in the trial of the Rev Cedric Mason because he feared the Security Police.

Mr Van Heerden said he had two reasons for bringing the action.

The first was compensation for the wrongs the Security Police had done to him.

The second reason was a protest against the security laws which gave police "unchecked" powers to do anything to people in their custody.

At the start of the cross-examination by Mr H Z Slomowitz, SC, for the 10 Security Policemen, Mr Van Heerden said he had not given the Security Police all information he knew about the banned African National Congress.

He said he had been tortured to the point of death, but had not been prepared to tell the Security Police ev-

erything he knew as he did not want to compromise his friends.

Mr Van Heerden denied the suggestion by Mr Slomowitz that he had brought the action against the Security Police to "malign, smear and destroy" the police.

He also denied that the case was for personal motives and for the ANC.

The 10 policemen are: Major Arthur Cronwright, Maj Stephannus J P Abrie, Maj J N Visser, Maj P P Olivier, Warrant-Officer Lawrence Prince, Lieutenant Hendrik 'Pitout, Lieut P Botes, a W/O Fourie, Captain Andries Struwig, and Lieut Johan Van Aswegen, who is no longer a policeman. The hearing continues today.

● Mr Van Heerden was incorrectly quoted in yesterday's Rand Daily Mail as having told the court that Maj P P Olivier had tears in his eyes when he saw the injuries on Mr Van Heerden's back. Mr Van Heerden in fact named Maj J N Visser in this regard.

(329) *Hammond Q. 61. 321*  
Internal Security Act  
23/2/84  
317. Mrs H SUZMAN asked the Minister  
of Law and Order:

- (1) Whether any persons detained in 1983 under section 29(1) of the Internal Security Act, No 74 of 1982, were charged; if so, (a) how many and (b) what were the charges;
- (2) whether any of those charged were (a) acquitted and (b) found guilty; if so, (i) how many, and (ii) in respect of what charges, in each category?

The MINISTER OF LAW AND ORDER:

(1) Yes.

(a) 42.

(b) High treason; murder; contravention of various provisions of the Internal Security Act; possession of prohibited publications; illegal possession of firearms.

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THURSDAY, 23

(2) (a) Yes.

(i) 8.

(ii) Illegal possession of firearms.

(b) Yes.

(i) 16.

(ii) Murder . . . . . 1  
High treason . . . . . 9  
Terrorism . . . . . 3  
Furthering the aims of an  
unlawful organization . 1  
Illegal possession of fire-  
arms . . . . . 2

By Sheryl Raine,  
Pretoria Bureau

# Police used 'Gestapo-like' torture methods, court told

A former Security Police detainee yesterday told a crowded Pretoria Supreme Court that methods used to torture him while in detention resembled those used by the Gestapo.

Some of the events which occurred during my 289 days of detention are, inscribed on my memory and I will never forget them," said Mr. Aaret van Heerden (29), who is claiming damages of R113 000 from 10 security policemen.

The gallery of the court where the civil case is being heard was packed and a representative from the Netherlands Government observed yesterday's proceedings.

Mr. van Heerden has claimed he was brutally tortured for 36 hours at the Benoni police station and coerced into making certain statements which incriminated friends. He claimed in court that he was:

- Strangled with a wet towel and forced to stand for 10½ hours with his left wrist manacled to his right ankle.
- Given electric shocks to his feet, wrists, back and neck, while a wet canvas bag was put on his head, preventing him from breathing.
- Kneed in the face, slapped on the head, forced to stand for long hours and deprived of sleep.

As a result he was now undergoing psychiatric treatment, he said.

Mr. van Heerden told Mr. Justice Elloff that he brought his case to court because he felt he was entitled to damages for the wrongs committed against him.

My other reason for bringing the matter to court is that the security laws of this country, give the Security Police, unchecked, almost absolute powers. Such a system lends itself to abuse and one of the only checks we have left is public accountability.

"This trial has the very important purpose of bringing to the public's attention some of the happenings under section 6 of the Terrorism Act. I trust that this trial serves as a check on some of the abuses taking place," he said.

Under cross-examination by Mr. HZ Sionowitz, who is appearing for nine of the defendants, Mr. van Heerden denied he was running a "deliberate smear campaign to malign and destroy the South African Police and its future."

He also denied he was using the case for publicity to promote his own cause, his personal ambitions and the ANC.

Mr. van Heerden

the ANC," said Mr. Sionowitz. "Yet you did not tell them everything you knew."

Mr. van Heerden said he had lengthened his original statement to the police by 30 pages after the torture but he was very conscious of the fact that he was betraying his friends. For moral reasons he had kept back whatever he could.

Mr. van Heerden was used as State evidence

against Barbara Hogan, who was convicted of treason.

He told the court he went into hiding when he heard the Security Police were looking for him to give evidence in the treason trial of Mr. Cedric Mayson.

"I feared I would be detained and interrogated again. I knew that a statement I made in detention regarding Mr. Mayson had been made under duress and I ensured that the Security Police did not find me," he said.

# Peak period was troubled 1976/77

By Jon Qwelane

The Minister of Law and Order, Mr Louis le Grange, replying to a question by Mrs Helen Suzman (PFP, Houghton) in Parliament earlier this month, said only one detainee had died last year while being held in terms of security legislation.

He said the dead man was Mr Thembuyise Simon Mndawe, who died on March 8 after being detained on February 24. The inquest into his death was proceeding.

However, Mr Paris Malatsi also died in detention last year. He was killed by Jan Harm van As, a security policeman.

Death in detention was at an all-time high during the 1976-77 riots, which started in Soweto and swept the entire country.

In 1963, when incarceration

without recourse to the courts became law, two people died.

Two more people died in 1964, another two in 1965, three in 1966, two in 1967 and another two in 1968.

In 1969 seven people died during the year, and not a single detainee was reported dead the following year.

Two people died in 1971 and for the next five years no deaths in detention were reported.

In 1976, nine days after the outbreak of the riots, the first of 11 people died in detention.

The following year 14 people died, while only one person died in 1978. There were no deaths reported in 1979.

One person died in 1980 and another in 1981, two in 1982, another two in 1983 and one died last month.



Mr Paris Malatsi, the detainee who was shot dead by a member of the Security Police, Jan Harm van As

## A-G looks at Van As case

Pretoria Bureau

There is nothing unusual about the Attorney-General's decision to consider appealing against the judgment in the Van As case, says the Deputy Attorney-General, Mr K von Lieres.

Jan Harm van As, a policeman, was jailed for 10 years after being found guilty in the Rand Supreme Court on Tuesday of causing the death of a political detainee Mr Paris Malatsi (23).

Mr von Lieres, who prosecuted, gave notice of intent to appeal, saying that he believed that the court had incorrectly convicted Van As of culpable homicide instead of murder.

Mr von Lieres said yesterday that the Attorney-General's office was still considering whether to appeal and was studying the judgment handed down by Mr Justice F C Kirk-Cohen.

● See Page 6, World section.

# Biko — the death that made a modern martyr

Of all deaths in detention probably the most notorious was that of Black Consciousness leader Mr Steve Biko seven years ago, and the effects of this tragedy are still being felt in this and other countries.

After Mr Biko's arrest in 1977, he was kept naked and manacled to iron grilles at Security Police headquarters in Port Elizabeth and subjected to lengthy interrogation. In a scuffle his brain was damaged but, when three doctors examined him, one said he was shamming injury — even though he was so weak and confused that he urinated on his bedding.

A false medical certificate was issued and, later, Mr Biko, naked in the back of a police van, was driven 1 000 km to a Pretoria prison hospital. No medical record accompanied him.

Mr Jimmy Kruger, then Minister of Police, first said Mr Biko had died after a hunger strike but retracted this later. Referring to Mr Biko's brain injuries, Mr Kruger said he had "often felt like bashing my own head against a wall".

On Mr Biko's death, Mr Kruger made the now-notorious comment: "It leaves me cold." But later he said the Afrikaans

Detention without trial was introduced in 1963 during the State of Emergency and since then many detainees have died in police custody in South Africa and the independent homelands. Jan Harm van As was this week found guilty of the culpable homicide of detainee Mr Paris Malatsi — the first time a court has convicted anyone of killing a detainee. JON QWELANE looks at deaths in detention.

version of what he had said did not mean the same as the English translation.

A Security Police colonel, giving evidence at the Biko inquest, was asked about the law under which the Security Police operated. His reply was that they did not operate under any law.

In a three-minute verdict, after a lengthy hearing, a Pretoria inquest court found that nobody, either by omission or commission, was responsible for Mr Biko's death. No disciplinary action as taken against the three doctors who attended Mr Biko.

Durban detainee Mr Joseph Mdluli died in custody. A Natal Supreme Court judge showed signs of feeling perturbed about acquitting four security policemen on charges relating to the death.

The trial judge said it was

clear that Mr Mdluli had received the numerous injuries found on his body during his short spell of detention but evidence had been so contradictory that he could not reach a verdict regarding the four policemen, who said the detainee had died after falling from a chair.

A post-mortem found that Mr Mdluli had died "through the application of force to the neck".

The judge referred the case to the Attorney-General of Natal, who declined to prosecute. The Government later made a large payment to Mr Mdluli's widow in an out-of-court settlement.

The Vanda Supreme Court acquitted two Vanda security policemen of murdering lay preacher Mr Tshifwe Muofhe, who died two days after his detention in 1981.

A verdict of suicide was returned at the inquest on trade unionist Dr Neil Aggett after

evidence that he had been denied sleep and subjected to lengthy periods of interrogation.

A witness said he had seen Dr Aggett being forced to do exercises and being beaten with a rolled newspaper.

The witness said that, just before his death, Dr Aggett had looked very depressed and seemed suicidal. But the inquest magistrate blamed the witness for not having reported his fears to the police.

Mr Mapetla Mohapi, an official of the Black Community Programmes, died in the Kei Road police cells and police said he hanged himself with a pair of jeans.

A suicide note which he allegedly wrote to the police before he died and in which he told them to "interrogate my dead body" was the subject of a lengthy court case.

The texture of the toilet paper on which Mr Mohapi allegedly wrote the note was queried in court and an overseas handwriting expert told the court that the note was a fake.

Mrs Nohle Mohapi alleged that Security Police had killed her husband. She told the court he had not committed suicide.

Judgment in the case was postponed indefinitely.

...because he was per-  
South Africa.

## hwe accused

branches of Zimbabwe's  
ratus violated human  
year, the Reagan admin-  
human rights report for

## murger plea

HAEL Chamberlain and  
Andy, are to appeal to the  
just their murder convic-  
ting their daughter Azar-

## at Killarney

Nick Mauerberger and  
pit team are set to take on  
s best and win their class  
-Webbank national mod-  
car championship, which  
Killarney on Saturday.

## Mail

### will punish"

ES of the Bakwena-Ba-Mo-  
are desperate and want  
away from Pachsdraai as  
they can. Destitute tribes-  
they abandoned their large  
-built homes two weeks ago  
by 2,6m metal shacks ...  
emporary homes until they  
and or move elsewhere.

## Mail

### U slated

Treasure John de Canha has  
of the Transvaal Rugby  
Union for a "lack of busi-  
nessmen" and says that their  
to cancel tomorrow's soc-  
table header has cost the  
a much-needed R46 000 in

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what they got".

There was a carnival at-  
mosphere at the start of yes-  
terday's proceedings.

The jostling mass of spec-  
tators was first let through  
the heavy glass doors into the  
new court complex about  
half-an-hour before the pro-  
ceedings were due to start,  
and were finally admitted to  
a Court at 2pm to scramble  
for the best vantage points.

Many, however, were de-  
nied the comparative com-  
fort of the hard benches and  
had to stand shoulder to  
shoulder in the aisles.

Before the convicted cou-  
ple appeared, police had to  
clear a path to enable report-  
ers to get to the door through  
the crowd, estimated by the  
Registrar of the Supreme  
Court, Mr C T Verwey, at  
about 450 people.

Among the comments fil-  
tering down to the Press  
bench from the public gallery  
were grumblings that the  
crowd had behaved like ani-  
mals and that the court  
should have been bigger.

"I've lost my bag, man,"  
exclaimed one woman, while  
another demonstrated how  
being caught up in the mob  
had given her "the shakes".

"I have been standing here  
since 12 o'clock - I wasn't  
going to miss this for any-  
thing," a third confided.

The lengthy trial is be-  
lieved to be the first in recent  
times where photographers  
have been allowed to take  
pictures inside the courtroom  
before and after the court  
was sitting.

# Detainee made a suicide bid

By DAVID CAPEL and  
GEOFFREY ALLEN

ONE of five detainees being  
held by the Venda Police  
tried to commit suicide a  
week ago, one had a fungal  
infection and two had com-  
plained of pain in their joints,  
a doctor yesterday told the  
detainees' attorney after  
visiting them.

The commander of the  
Venda National Force gave  
an undertaking on Tuesday  
that a doctor would examine  
them by 6pm on Wednesday  
and that the detainees would  
be released by 4pm today un-  
less they were charged by the  
Attorney-General before  
then.

In an application on their  
behalf to the Venda Supreme  
Court the detainees wives  
asked for an order that a doc-  
tor be allowed to see their  
husbands by 6pm on Febru-  
ary 22.

Mr Ismail Ayob, their at-  
torney, said last night the  
doctor had told him Mr Al-  
fred Denga, who was ad-  
mitted to hospital about two  
weeks ago, had tried to com-  
mit suicide about a week ago.

He said the doctor had re-

ported that all the detainees  
had lost weight, two com-  
plained of painful joints and  
one had a fungal infection.

A second detainee who was  
admitted to hospital, Mr I P  
Mutielwana, had suffered a  
fit, according to Mr Ayob's  
information.

Mr Ayob this week brought  
an application before the  
Venda Supreme Court to al-  
low the detainees to be  
visited by a doctor by 6pm on  
Wednesday.

The application also re-  
quested that the detainees be  
allowed access to legal rep-  
resentatives. Yesterday law-  
yers acting for the five con-  
firmed that the men had been  
visited by a doctor.

The held men are Mr Rob-  
ert Ratshtanga, Mr Alfred  
Denga, Mr Itani Petrus Mu-  
dielwana, Mr Samuel Sin-  
damba and Mr Wilson Sin-  
yebwe.

A sixth detainee, Mr Sam-  
uel Tshikibudo, died in a pris-  
on hospital on January 19.  
According to a telex from the  
Venda National Force to Mr  
Ayob, he was suffering from  
either typhoid or diabetes.

**WEEKEND FUNFINDER, the pull-out guide to  
weekend entertainment, in the Rand Daily Mail**

IF you are a runner, a crick-  
eter, a bridge player, a  
boardsailor, a martial artist  
or even an inventive house-  
wife looking for a first class  
dinner idea to tantalise your  
weekend guests, then you  
will not want to miss WEEK-  
ENDER which appears in to-  
morrow's editions of the  
Rand Daily Mail.

WEEKENDER, a totally  
new concept in South African  
newspapers, brings together  
a glittering array of big  
name columnists who have  
invaluable tips and advice to  
offer anyone who has an in-  
terest in their specific fields.

So if running or jogging  
happens to be your thing,  
what more could you ask



than to be able to share  
experiences of BRU  
FORDYCE, almost certai-  
ly the best ultra-marathon  
ner in the world.

VINCE VAN-DER BI  
that great cricketing char-  
acter and even grea-  
achiever, brings you the

accide  
Mall Rep  
BECAUSE OF  
dent rate at  
the M's north  
ramp and Eng  
Johannesburg

(329)

Hammond Q. 61. 347  
Spies 24/2/84

\*28. Mr B B GOODALL asked the Minister of Law and Order:

- (1) Whether any alleged spies are being held by the South African Police; if so, (a) under what statutory provision are they being held and (b) when were they detained in each case;
- (2) whether they have been charged; if so, (a) what are the charges and (b) under what statutory provision were they charged in each case; if not, (i) why not and (ii) where are they being held?

The MINISTER OF JUSTICE (for the Minister of Law and Order):

- (1) Yes.
  - (a) In terms of section 29 of the Internal Security Act, 1982.
  - (b) One since 13 December 1983 and two since 15 December 1983.
- (2) No.
  - (i) Because the investigation has not yet been completed.
  - (ii) One in Johannesburg and two in Pretoria.

## Security Police agent to give evidence

# Nusas leader was an SP spy, court told

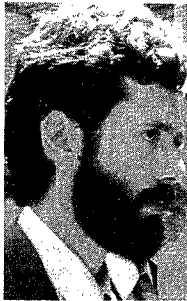
By JOHN MOJAPPELO  
Pretoria Bureau

THE Security Police master spy, Major Craig Williamson, is to be called as a witness to say the former student leader, Mr Aurret Dennis van Heerden, who alleges Security Police tortured him, was himself a police spy.

Mr H Z Slomowitz, SC, counsel for 10 security policemen being sued in the Pretoria Supreme Court by Mr Van Heerden, told Mr Justice C F Eloff yesterday Maj Williamson had met Mr Van Heerden several times.

Mr Van Heerden, 29, of Johannesburg, is a former president of the National Union of South African Students (Nusas). He is suing the 10 security policemen for R113 000 for alleged assault and torture while in detention from September 4, 1981 to July 9, 1982.

The policemen are: Major Arthur Cronwright, Maj Stephanus J P Abrie, Maj J N Visser, Maj P P Olivier, Warrant-Officer Lawrence Prince, Lieutenant Hendrik Pitout, Lieut P Botes, a W/O Fourie, Captain Andries Struwig and Lieut Johan van



MR AURET VAN HEERDEN  
Suing Security Policemen

Aswegen, who is no longer a policeman.

Mr Van Heerden, who has been in the witness box since Monday, alleged he had been tortured and assaulted while under protracted interrogation at the Pretoria Central Prison, Sandton police station, John Vorster Square and Benoni police station.

He said the torture took place at the Benoni police station on the night of November 18/19, 1981.

Under cross-examination by Mr Slomowitz, Mr Van

Heerden denied he had acted as a spy for Maj Williamson during 1980 and 1981. He denied he had been offered money and refused.

He had never phoned Maj Williamson to give him information.

Mr Van Heerden admitted he had been ordered by his superior, while in the South African Army head offices in Pretoria, to accompany Maj Williamson and a Captain Beukes to a coffee bar.

Maj Williamson told him a Rhodes University student newspaper was going to publish on the following day a report that Mr Van Heerden and some people, including a Johannesburg lawyer Mr Raymond Tucker, were police spies.

"I listened to his information and I had no comment. I checked the story and I found that it was not true," Mr Van Heerden said.

Asked why Maj Williamson had volunteered this information to him, Mr Van Heerden replied: "He was trying to portray himself as a guardian angel."

Mr Van Heerden said he had found Maj Williamson's story "humorous" and odd.

He again met Maj Williamson at John Vorster Square at

the beginning of 1982, while he was in detention.

He had not told Maj Williamson he had been tortured. He had expected Maj Williamson to have known what had happened to him.

Mr Slomowitz said Maj Williamson was going to testify he had told Mr Van Heerden that if he was about to be assaulted or tortured he was to utter three words — "Call Craig Williamson".

"I do not imagine the three words would have stopped me from suffering at the hands of the Security Police," Mr Van Heerden replied.

Mr Van Heerden said it would be "completely untrue" if Maj Williamson were to give evidence that he (Van Heerden) was the first to tell the Security Police about Barbara Hogan's activities with the banned African National Congress.

Hogan was jailed for 10 years for high treason.

Mr Van Heerden said he had been worried and disturbed by the rumour within the ranks of the "broad Left" in the country that he was a police spy, anti-ANC, and a domineering and undemocratic leader.

The hearing continues today.

RDM 24/2/84 (329)



# Detainee 'not held under security law'

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Political Correspondent  
THE Commissioner of  
Police, General Johan  
Coetzee, pointed out yes-  
terday that a detainee  
shot by a security police-  
man last year had not  
been held under security  
legislation.

A comprehensive set of  
instructions concerning  
the detention, safeguard-  
ing and treatment of se-  
curity legislation of de-  
tained persons was issued in  
December 1982 and was  
legally binding on all  
policemen, General Coet-  
zee said.

Mr Paris Molatsi was,  
however, detained in  
terms of the Criminal  
Procedure Act. The  
treatment of these de-  
tainees was regulated by  
"certain directives".

Mr Molatsi was shot at  
the Soweto police station  
during interrogation last



General Johan Coetzee

year by Sergeant Jan  
Harm van As. The secur-  
ity policeman was con-  
victed this week of cul-  
pable homicide and the  
State which had asked  
for a murder finding, is  
appealing against the  
conviction.

General Coetzee said  
that immediately after  
Mr Molatsi's death, he  
had ordered the immedi-  
ate suspension of Ser-  
geant Van As.

He had also instituted  
a high-level investiga-  
tion by a senior general  
to ascertain whether the  
relevant directives had  
been adhered to and an  
investigation by the  
criminal investigation  
department into alleged  
criminal aspects of the  
incident.

The second investiga-  
tion had led to the pros-  
ecution and conviction of  
Sergeant Van As.  
"In view of the fact  
that an appeal may fol-  
low, and civil litigation  
may also be instituted, I  
deem it improper at this  
stage to make further  
comments except to say  
that the law has taken its  
course," General Coetzee  
said.

# Former Nusas leader denies being informer

24/2/84

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Star

By Sheryl Raine,  
Pretoria Bureau

There were angry exchanges in at the Pretoria Supreme Court yesterday when a former president of the National Union of South African Students (Nusas) vehemently denied that he had been a Security Police informer or that he had betrayed political activist Barbara Hogan.

Mr Aurret van Heerden (29) is claiming damages from 10 security policemen who allegedly tortured him during his 289 days in detention.

In cross-examination by Mr H Z Slomowitz, Mr van Heerden's motives for bringing his case to court were strongly attacked.

A video recording of a Belgian TV news broadcast was played to the court by the defence to illustrate Mr van Heerden's activities overseas last year.

Mr Slomowitz accused Mr van Heerden of "putting himself forward on overseas television and at Press conferences as a living martyr of the oppressed masses, the tortured man who survived to talk, unlike the dead Dr Neil Aggett".

Mr Slomowitz said: "You are precisely the kind of man with the kind of motives and forces

driving you who would invent this tale of torture to malign and destroy and further your own political aims.

Mr Slomowitz then shouted: "You don't care what the outcome of this case is. The publicity trumpeted throughout the world will serve your purpose."

Mr Van Heerden: "That's not true. I have come to this court to seek compensation for the damages committed against me".

Mr Slomowitz said that Major Craig Williamson, a security policeman who infiltrated student ranks in the 70s, would testify that Mr van Heerden had worked for him as a police informer.

Earlier Mr van Heerden described how, between 1979 and 1981, his political leadership had been threatened by rumours that he was a police spy, against the African National Congress (ANC), a sell-out because he had gone into the army and too autocratic in his ways.

Mr Slomowitz suggested that he was so worried about his credibility in left-wing circles that he approached Major Williamson.

Mr Slomowitz said Mr van Heerden phoned Major Williamson between October 1980 and September 1981 to give

the police information.

"The first time the Security Police realised that Barbara Hogan was important was when you told Craig Williamson that she had met Red September, a very important and senior member of the ANC," said Mr Slomowitz.

Hogan is serving 10 years imprisonment for treason.

The defence advocate alleged that Mr van Heerden exchanged this information for facts about people within left-wing circles who were undermining his position.

The case continues.

# Ibhongo pupils held - claim

Soweto  
24/2/84

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THREE students at Ibhongo High School in Senaone, Soweto were yesterday reported to have been detained by Security Police in a dawn raid at their homes.

According to information received by The SOWETAN, the three are Thami Mcegwana, George Ngwenya both of Dhlamini, and Stanley Sigojane of Diepkloof. All three are Form Five students at the trouble-torn Ibhongo High School.

But the public relations division of the South African Police in Pretoria yesterday said: "There is no record of the detention in terms of security legislation of the persons mentioned."

According to a student at the school, the three were taken from their homes at about 2 am by Security Police. By late yesterday afternoon the students were still trying to establish where their colleagues are being held and under what Act.

24/2/84  
**Detained  
youths**  
**get bail** Jan

Two Alexandra youths were yesterday released on bail by a Johannesburg Regional magistrate after spending more than three weeks in detention.

The 17-year-old youths, who may not be named, appeared under the Terrorism Act. They were not asked to plead.

They are linked to the month-long Putco bus boycott which ended in the township earlier this month.

One of the youths was previously refused bail and held for 14 days in terms of section 30 of the Internal Security Act. He was granted bail at the decision of the Transvaal Attorney-General.

The youths were each granted R500 bail and will appear in court on March 13 to face charges together with nine other people, including a 14-year-old boy and leaders of two Alexandra organisations.

The nine were previously released on R500 bail and, like the two youths, have not been asked to plead.

(549) *Internal Security Act 1984*  
 201 Mrs H SUZMAN asked the Minister of Law and Order:

(1) How many visits to detainees held

DAY, 24 FEBRUARY 1984

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DER: The MINISTER OF LAW AND ORDER: (a) Inquiries

tions and (v) magistrates in 1983;

(2) whether any complaints of ill-treatment were reported to him as a result of such visits; if so, (a) how many and (b) what steps have been taken as a result of these reports?

DER: The MINISTER OF LAW AND ORDER:

(1) (a) 662.

(b) 701.

(2) Yes.

(a) Eighteen complaints of alleged assault.

(b) All complaints are being properly investigated and the cases referred to the Attorney-General for his decision. In ten of the eighteen cases, he declined to prosecute, while the investigation of the other eight cases has not yet been finalized.

**Trade union movements**

325. Dr A L BORLAINE asked the Minister of Law and Order:

(1) (a) How many (i) Blacks, (ii) Whites,

(iii) Coloureds and (iv) Indians involved in trade union movements were detained in each month in 1983,

(b) how many such persons were still in detention as at the latest specified date for which figures are available and (c) in terms of what legislation were they so detained;

(2) whether any of those detained were released without charges being brought against them; if so, how many?

DER: The MINISTER OF LAW AND ORDER:

(1) (a) None.

(b) and (c) Fall away.

(2) Falls away.

**Gombie: post office**

349. Mr P R C ROGERS asked the Minister of Posts and Telecommunications:

(1) On what date were the plans for a new post office at Gombie (a) drawn up, (b) passed and (c) placed on the Estimates;

(2) what was the original date envisaged for the (a) commencement and (b) completion of building operations;

(3) (a) how many new post offices have been built since a new post office for Gombie was first placed on the Estimates, (b) where are they situated on each case and (c) what in each case are the dates on which the relevant plans were (i) drawn up, (ii) passed and (iii) placed on the Estimates?

The MINISTER OF POSTS AND TELECOMMUNICATIONS:

(1) Plans for the proposed building are at present being drawn up and are expected to be completed and approved by September/October 1984. The service is being placed on the 1984-85 Estimates for the first time;

(2) (a) September 1983 and (b) middle 1984. However, on account of a shortage of funds and other priorities, it was necessary to defer these dates to January 1985 and October 1985, respectively;

(3) Falls away.

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# Ex-detainee denies he spied for police

Own Correspondent

PRETORIA. — Security police spy Major Craig Williamson is to be called as a witness by the ten security policemen being sued by a former detainee — to say that the former detainee was a police spy.

Mr H Z Slomovitz, SC, counsel for the ten security policemen, told Mr Justice C F Eloff in the Supreme Court here yesterday that

Major Williamson had had meetings with the ex-detainee, Mr Aurret Dennis van Heerden.

Mr Van Heerden, 29, of Johannesburg, a former president of Nuss, is suing the ten security policemen for assault and detention while in custody from July 9, 1982. He is seeking damages of R113 000.

The security policemen

he is suing are: Major Arthur Benoni Cronwright, Major Stephanus J P Abrie, Major J N Visser, Major P P Olivier, Warrant-Officer Lawrence Phillip Prince, Lieutenant Hendrik Ploot, Lieutenant P Botes, a Warrant-Officer Fourie, Captain Andries Struwig and Lieutenant Johan van Aswegen, who is no longer a policeman.

Cross-examined by Mr

Slomovitz, Mr Van Heerden denied that he had acted as a spy for Major Williamson in 1980 and 1981.

He said he had been offered by his superior while in the South African Army head offices in Pretoria to accompany Major Williamson and a Captain Benkes to a coffee bar.

Major Williamson had told him a Rhodes University student newspaper was

going to publish a report on the following day saying that Mr Van Heerden and others, including a lawyer, Mr Raymond Tucker, were police spies.

"I listened to his information and I had no comment. I checked the story and found that it was not true," Mr Van Heerden said.

Asked why Major Williamson had volunteered

this information to him, Mr Van Heerden replied: "He was trying to portray himself as a guardian angel."

He recalled two meetings with Major Williamson — at John Vorster Square at the beginning of 1982, while in detention, and in Geneva in 1983, while the security policeman was pending refugee status. The hearing continues today.

(329) *J. Madatsh*  
**Detained Ciskeian  
taken to hospital**

MDANTSANE — A Ciskei detainee, Mr Caweni Sotyelelwa has been admitted to Cecilia Makiwane Hospital.

This was confirmed yesterday by the Commissioner of Police, Brigadier Lulama Madolo, who said Mr Sotyelelwa was taken to hospital two or three days ago.

Brigadier Madolo said he could not disclose the nature of the illness and condition as he had no available information before him then.

Mr Sotyelelwa, a former Mdantsane township councillor, was detained by Ciskei

security police soon after he appeared in a magistrate's court on a charge of murder in Mdantsane earlier this month.

He had failed to appear in court on January 17. A warrant for his arrest was subsequently issued.

When he was brought to court, he was cautioned and told to appear on February 17. Soon after he left the court, he was detained by the security police.

The case against Mr Sotyelelwa has been postponed in his absence, to March 21. — DDR.





# Police spy 'had score to settle

**PRETORIA.** — A former president of Nussas told a packed courtroom here yesterday that spying for a security policeman could have meant a death sentence for a left-wing political activist.

Mr. Andrei Dennis van Heerden, 29, of Johannesburg, who spent a fifth day in the witness box in the Supreme Court here, denied that he was a police spy and had been an informer for Major Craig Williamson.

Mr. Van Heerden was being questioned about his

relationships with Major Williamson and Mr. Cedric Mayson and about his evidence at the inquest on Dr. Nell Asgett.

The former student leader is suing 10 security policemen, R. A. security forces, for assault and damage for alleged assault and torture in detention. The policemen are sued in their personal capacities.

Mr. H. Z. Slomowitz, SC, counsel for the 10 policemen, told the court earlier that Major Williamson would testify that Mr. Van Heerden had acted as his

informer.

Mr. Van Heerden alleged that Major Williamson was accusing him of being a police spy to "settle a score with me".

He said he had tried for three years to expose Major Williamson as a police spy while Major Williamson was acting for the International Union of Students, an exchange fund in Geneva.

He admitted meeting Major Williamson in Geneva but said he had declined an offer by Major Williamson to meet some ANC officials.

Mr. Van Heerden said that had he informed for Major Williamson, it would have meant, figuratively and literally, a death sentence for him in the left-wing movement.

Mr. Van Heerden said he would not have brought the court action against the police if he had been a security policeman.

Mr. Van Heerden denied that he had been trying to regain political credibility when he gave evidence at the Asgett inquest.

The questioning of Mr. Van Heerden was interrupted when Mr. Sydney Kentridge, SC, for Mr. Van

Heerden, said Mr. Slomowitz had not touched on the merits of the case during lengthy cross-examination but had dealt with "peripheral" matters.

Mr. Kentridge objected to the questioning as "irrelevant, tedious and legally oppressive".

Mr. Slomowitz replied that the case did not centre on evidence at the Beaton police station on the night of November 18, 1961 (when the alleged torture happened).

Mr. Van Heerden had to be tested on whether he had invented the alleged

tortures, Mr. Slomowitz said.

The judge overruled objection.

The security police who are defendants in the action are: Major Arthur Benoni Cronwright, Major J. N. Visser, Major Oliver Warrant-O'Neil, Lieutenant Hendrik Fyfe, Lieutenant P. Botes, a White Federation of South African Women van Aswegen, who saw, Albertin, in the Krugers

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# Auret tells of electric shocks in water puddle

Pretoria Correspondent

A political activist, Mr Auret van Heerden, stands to lose his credibility and his R113 000 claim against 10 Security Police if it is proved in court that he was a police spy.

Mr van Heerden is claiming damages in the Pretoria Supreme Court for the torture and assaults he was allegedly subjected to during his 289 days in detention.

The counsel for the policemen, Mr H Z Slomowitz, S C, claimed he could lead evidence that Mr van Heerden had provided the Security Police with the information that linked Barbara Hogan and the Reverend Cedric Mayson with the banned African National Congress.

Hogan was convicted last year of high treason, and Mr Mayson fled South Africa rather than facing a trial on the same charge.

They were both friends of Mr van Heerden.

## UNHOLY

"I have made what I conceive to be a most serious allegation against Mr van Heerden and have called him a man who formed an unholy alliance with a policeman which, if true, will destroy him. If it is untrue, it will destroy my case," Mr Slomowitz said.

He claimed Mr van Heerden was Craig Williamson's informer, and that Major Williamson

would give evidence to that effect.

If it was true, it was unlikely Mr van Heerden was tortured, he said.

Mr van Heerden has consistently denied allegations that he was a police spy and provided Major Williamson with information incriminating his friends.

He has said that when the torture was reaching a climax he did not collapse because he did not want to betray his friends' confidence.

"Cedric Mayson was one of the friends I sought to protect throughout the torture session," he said yesterday.

## SUFFERING

Earlier this week Mr van Heerden gave detailed evidence of torture which became increasingly more severe until it reached a climax of gross physical suffering during a session in Benoni.

He was forced to stand doubled up, with his wrist manacled to his ankle, for about 10 and a half hours.

When the handcuffs were removed, a tightly fitting canvass bag was squeezed over his head and water was poured over it. Then the policemen started applying electric shocks to his forearm, the soles of his feet and the base of his spine and neck.

He wanted to scream but found the wet bag was suffocating him.

He described his panic at the possibility that he might suffer permanent brain damage as he lay in a pool of water, conducting the electric shocks up and down his body.

Before the session in Benoni he was kept in a cell in Pretoria, so small he could touch both walls with his elbows. He was not allowed to communicate with anybody, his clothes were dirty and he did not receive adequate food.

Mr van Heerden said he regarded the incarceration as torture too.

The 10 policemen he is suing for compensation are: Major Arthur Cronwright, Major Stephanus J P Abrie, Major J N Visser, Major P P Olivier, Warrant Officer L C P Prince, H C J Piout, Lieutenant P Botes, Warrant Officer G Fourie, Captain A A Struwig, and Johan Van Aswegen, who was doing his national service in the police at the time.

Yesterday was Mr van Heerden's fifth day in the witness box. His parents and his brother have been at court every day.

Mr Justice Eloff is on the Bench. Mr Slomowitz is appearing with Mr J Couchie for the Security Police and Mr S Burger is appearing for Mr van Aswegen.

Mr S W Kentridge SC is appearing for Mr van Heerden, assisted by Mr J Browde SC, and Mr B H Trengrove.

# Venda under the spotlight

26/2/84 (329)  
City Press

By ZB MOLEFE

DEATHS IN detention in Venda and the recent secret Venda monetary deals will be in the spotlight when the entire 24-man opposition Venda Independence Party (VIP) in Venda's Legislative Assembly addresses a meeting in Soweto on Sunday.

Scores of party members and interested parties are expected at the mass meeting at Chiawelo township's Putalushaka Higher Primary School at 10am.

"We are worried about the deaths in detention in Venda. The names of Mugivhelo Tshikhudo and Tshishilo Muofhe, have been added to the chilling statistics. How many more will follow?" asked VIP leader Gilbert Bakani this week.

Mr Bakani also told of concern in Venda about controversial secret monetary deals between the homeland and South Africans in which Venda President Patrick Mphahlele has been implicated. "Something is wrong somewhere," said Mr Bakani.



GILBERT BAKANI: "Something is wrong in Venda."

96-year-old and blind man among those threatened with death

# Ciskei cops abduct nine South Africans

A STRONG task force of Ciskei police crossed into South Africa to abduct nine South African residents belonging to an organisation opposed to planned removals to the homeland.

The nine — one is 96 years old and another is blind — live in Mgwali, a rural village in the "white corridor" between Ciskei and the Transkei.

They say that during a night of terror last week, they were beaten and threatened with death before being abducted 30km across the border to be jailed and interrogated by the Ciskei police.

They were released this week after being held for several days.

Their families were also allegedly assaulted in the raid and one victim who was pregnant, miscarried. According to her doctor, the miscarriage was caused by shock and physical abuse.

Minister of Foreign Affairs, Pik Botha, said the South African Government had lodged a protest against the conduct of the Ciskei police and asked that the removed people be returned home immediately if they were informed about the incident.

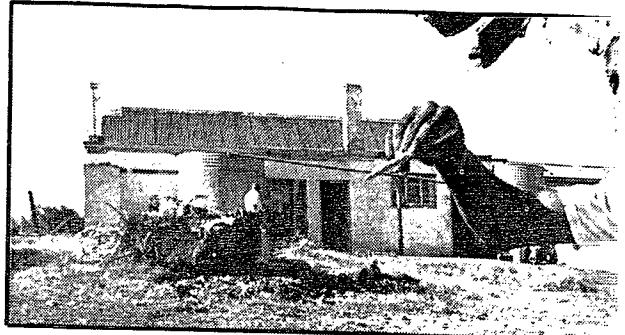
He said, in reply to a question by Errol Moorcroft (PPP, Albany) when the issue was raised in parliament, that the Ciskei police had apparently crossed the border "in all good faith" to disrupt a meeting, believing it threatened the safety of a Ciskei chieftainship.

Mr Botha added that "any transgression by other countries on South African territory is viewed in a serious light."

Meanwhile the Progressive Federal Party is conducting a fact-finding mission to the area.

Those abducted are committee members of the Mgwali Residents' Association, the body responsible for motivating resistance against planned removals to Ciskei.

Speaking about their



VICTIM... Mike Gija describes how he was assaulted and interrogated soon after the night

## FRANC HENNY reports from Mgwali

**"I tried to help the old man but they clubbed me with their weapons and threw me into the combi. I realised they were police because they had pistols in their waistbands and some carried rifles"**

frightening experience, the victims said it was almost midnight last Wednesday when the Ciskei police task force in a convoy of about 20 vehicles, most with GCE and GCJ registrations, crossed the border to raid Mgwali.

"I was sitting out in the yard at about 10pm when I saw this stream of car lights coming towards our house. I just felt something was wrong so I shouted to my younger brother to collect all our association literature and hide it," said Mike Gija, spokesman for the Mgwali Residents' Association.

"All of a sudden, there was a flood of lights in front of our house. At least 10 or 11 policemen ran into our yard and dragged me into the

house. Although they were in plainclothes, I realised they were police because they had pistols tucked into their waistbands and some carried rifles.

"My grandfather and four other family members were inside the dining room. Herman was preparing the funeral of a dead friend. They shouted at him: 'Are you Mr Gija? Is this shop yours? We have come to arrest you?'"

"When he asked why, they hit him and dragged him outside where the convoy was waiting.

"Our women started crying so the police turned on them and hit and slapped them. All this time, other policemen searched through our house and yard. They pushed the old man and I

was scared he would fall so I tried to help him. But they clubbed me with their weapons and threw me into into a combi which had blacked-out windows.

"They then drove straight to the home of the blind man, Makhosonke Dyani. He lives with his grandchildren and they were asleep. They raiders banged down his door, shouting that they were the police. Being blind, Mr Dyani was confused and kept asking where he was and what was going on. Their response was to drag him out to the combi in his underclothes and then throw him and his clothes in.

"One committee member was not home so they arrested his son, saying: 'If we can't find your fa-

ther, we'll take you'. They also told him they had a bullet reserved for his father.

The rest of us were taken to a Mdantsane police station and locked in the cells there.

"We spent the weekend in the cells and on Monday, two Special Branch policemen interrogated us. They asked us mainly about a conference on removals held at the University of Cape Town recently.

"Meanwhile, my grandfather and the blind man had been released on Saturday when they saw his condition was bad. They got home at 2am on Sunday.

"We were released on Wednesday and taken straight to the South African Police station at Bolo. The station com-

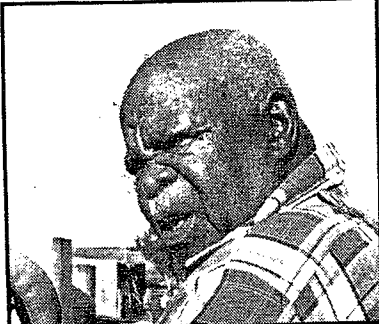
# ed with death during last week's trans-border night of terror

# duct, assault

# African residents



assaulted and interrogated by Ciskei police. His pregnant wife died soon after the night of terror



VICTIM... Herman Gija, 96, was dragged from his home and thrown into a Ciskei jail: "My body is not the same after that"

## ey clubbed me into the because they come carried

ther, we'll take you'. They also told him they had a bullet reserved for his father.

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"Meanwhile, my grandfather and the blind man had been released on Saturday when they saw his condition was bad. They got home at 2am on Sunday.

"We were released on Wednesday and taken straight to the South African Police station at Bolo. The station com-

mander was surprised to see us. He told the Ciskei police they had no right to arrest us, took down all our names and told the Ciskei police to take us home."

Herman Gija has lived peacefully for 96 years in Mgwali, but his dream of spending his last days in peace there was rudely shattered by the Ciskei police.

Mr Gija was terribly shocked by his experience. "After that, my body is not well. I am not the same as before. I can't get up by myself if I am laying on the ground, with the aid of my stick and a chair. I had neither in jail. My blind friend had to help me go to the toilet after struggling for a long time to get me up," he said.

"I refuse to move to the Ciskei. I can't leave my home or my church. I was born and married here at Mgwali. My parents were born here too on land granted to us by Queen Victoria in 1883. We still have the freehold title deeds and maps."

Although all those detained were released this week, the nightmare they endured has made their future in Mgwali even less certain.

"President Sebe came personally to speak to us in 1981. He promised us 10 acres of land near Frankfort. But only two acres would belong to us and the remaining eight would be farmed for the government. He said we would be removed if we wanted it or not," said Mike Gija.

"We then wrote to Minister Koornhof. He wrote back saying he is not removing us but that Ciskei had asked his permission to remove us because we are Ciskeians. But that is not true. Many of us still have South African reference books and those issued Ciskeian passports have torn them up.

"The Ciskei is trying to administer us but when they sent around tax forms, we refused to fill them in. We belong to South Africa not the Ciskei."

The South African Police would not comment

on the incident because it was "in the hands of the Government."

The Ciskei Government, meanwhile, has responded to the incident saying Mgwali is geographically located in South Africa but administered by Ciskei.

"Ciskei, therefore, has a legitimate right and full judicial authority to protect the Mgwali citizens. Ciskei has undertaken to assist the people of Mgwali (for the removal to Frankfort) when an agreement is reached between itself and the South African Government but this will only be on humanitarian grounds since Ciskei does not in any way associate itself with any type of forced removals."

Chief liaison officer for Ciskei's Department of Foreign Affairs, Headman Somtunzi, confided that the real reason for the raid was retaliation for disrespect the Mgwali Residents' Association had shown to paramount chieftainess Noliwe Sandile at a recent meeting to discuss the removal.

"They were arrested for disrupting that meeting. A chief needs respect. The South African Police at Bolo would not co-operate so we had to send our own police in. We needed to protect the position of the chieftainess," said Mr Somtunzi.

The PFP fact-finding mission touring Mgwali this weekend is headed by Errol Moorcroft, MP for Albany.

"It was an illegal invasion, as far as we know. Those Ciskei policemen had no documents, no warrants of arrest, they were not in uniform and their vehicles were not identifiable as police vehicles. Two of those arrested were not the people originally sought and a funeral party was disrupted.

"I will be going with Andrew Savage (MP, Walmer) to familiarise ourselves with the situation. We, as a party, oppose forced removals and the Government is involved in removing people against their wishes, using taxpayers' money."

Swetlan 27/2/84 (329) 52

# Briefs

## Police confirm

THE South African Police have confirmed the detention of three Ibhongo High School students who were taken from their homes in a dawn raid on Thursday last week.

The three, who are all Form Five students at the trouble-torn Senaone school, are Lawrence Moerwa, George Ngwenya both of Dlamini and Stanley Segotyana of Diepkloof. They are being held in terms of Section 50 of Act 74 of 1982, according to the public relations division of the SAP in Pretoria.

A student at the school last week told The SO-WETAN that the three were taken from their homes at about 2 am by Security Police. Classes at the school were suspended for three days last week while teachers held a meeting in an attempt to iron out problems at the school.

The students' grievances at the school are:

- The age restriction imposed by the Department of Education and Training (DET)
- the newly set conditions for students to endorse application forms as a condition of re-admission; and
- students being expelled without consultation with the Teachers/Parents committee.

June 27/84 (329)

## Promise to start as salesman

# PARIS HAD GOT A JOB

ON July 13 last year, the parents of Mr Paris Molefi Malatji received a telephone call from an insurance company where Paris had applied for a job as an insurance salesman.

The call was to inform Paris that his application was successful and that he could report for duty the following day. What the insurance company did not know was that Paris was dead and had already been buried three days earlier.

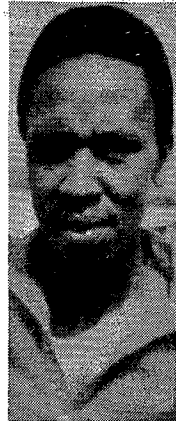
At the time, his parents were still puzzled by his death. The last time they saw him alive was on the night of July 4 when he was picked up from his home by the Security Police.

The next day, Paris was dead. On Monday last week, Mr Justice Kirk-Cohen found that Jan Harm van As, who was a detective sergeant at the time of Paris' death, had been negligent in handling a pistol which he held at Paris' head in trying to persuade him to co-operate.

In the process, something went wrong and the gun went off, resulting in the instant death of 23-year-old Paris Malatji.

Whenever his father, Mr Abe Malatji, speaks of him, he loses control of his emotions.

"He was my only son and the eldest of three children. He is now gone and cannot be replaced. Why did I have to lose my son, what have I done to deserve such a painful punishment and what has Paris done to have been killed without us knowing what crime he had committed?" asked Mr Malatji senior.



DEAD: Malatji.

He said Paris matriculated at Meadowlands High School and although he had applied for a job, he still had ambitions of furthering his studies and had enrolled for private studies with a correspondence college.

The Malatji family have since filed a damages suit for R50 000 against the Minister of Law and Order.

Mrs Priscilla Jana, the Malatji family lawyer, said since the trial of Paris' killer started, she had been receiving threatening telephone calls in the middle of the night at her Lenasia home.

She said she received one call every two or three days and that her caller once called her a communist and threatened to kill her.

At times, the caller would only breathe heavily into the receiver and immediately hang up.

Mrs Jana said she dismissed the calls as silly jokes and has not bothered to do anything about them.

# 'Detainees had no faith' in jail safeguards

Pretoria  
Correspondent

Security detainees did not regard any of the safeguards provided by law as channels to ensure their protection, the Pretoria Supreme Court heard yesterday.

Mr Aurret van Heerden, a former detainee, said that was why he never told visiting magistrates or the Inspector of Detainees that he had been assaulted and tortured by security policemen.

He is suing 10 policemen for R113 000 damages for torture he was allegedly subjected to in detention.

## SCEPTICISM

He said he and other detainees had no faith in the procedure of being visited by magistrates and the inspector. He saw it as "part and parcel of the system responsible for my detention".

Reports of visiting

magistrates went directly to the Security Police, and reports by the Inspector of Detainees were submitted to the Minister of Law and Order, who took the matter up with the Security Police, he said.

"The fact that the Security Police were involved in both procedures made me sceptical, and made me think they had the Security Police's interests at heart rather than the detainee's," said Mr van Heerden.

He was visited by magistrates about 20 times during his 289 days in detention. On all these occasions he told them he had no complaints, no injuries, and was in good health.

Counsel for the policemen, Mr H Z Slomowitz SC, asked him why he did not report his alleged maltreatment to a dentist he visited in March 1982 during his detention.

Mr van Heerden said the dentist was a

"rightwing adversary" of his on the campus when they were both involved in student politics, and members of the leftwing — "perhaps unfairly" — regarded most rightwingers as being connected to the Security Police.

The tense atmosphere in court was broken for a moment when Mr Justice Eloff asked Mr van Heerden: "Were you not concerned at the prospect of a rightwing adversary with a drill in his hand?"

## LAUGHTER

Notes Mr van Heerden wrote on toilet paper during his first days in detention caused laughter in court.

Mr Slomowitz read aloud that Mr van Heerden had written: "This cell is not big enough for my ego."

Mr van Heerden said it was a tongue-in-check statement and he did not consider himself a great egoist.

(Proceeding)

329 S. 28/2/84



CAPC Times 28/2/84 (329)  
**PFP: Ciskeian raid  
on Mgwali 'brutal'**

**Political Staff**

THE raid on Mgwali by the Ciskeian Police was "unwarranted and unjustifiable", the PFP MP's for Albany and Walmer, Mr Errol Moorcroft and Mr Andrew Savage, state in a report issued after their visit to the area on Saturday.

And they add, "the manner in which it was conducted was as brutal as it was illegal".

The MP's flew to the Eastern Cape to conduct a fact-finding mission after the raid by Ciskeian security police which resulted in the detention of nine residents of Mgwali.

The report states that in view of the Ciskeian authorities "scant regard to justice and the rule of law" it was fair to accept that "the fears expressed by the residents about being removed to Ciskei are fully justified".

It concludes that "while the destitute squatter element at Mgwali should be encouraged to move to a place with greater promise of employment, it would be a crime against humanity to destroy a peaceful, well-ordered community, and to force those who identify so strongly with Mgwali to leave their land".

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## Police detain 40 members of Cape Action League in Atlantis

9845  
28/2/84 Staff Reporter (329)

ABOUT 40 members of the Cape Action League have been detained briefly by police in Atlantis.

Pamphlets calling on people to boycott the coloured elections were confiscated in the incident at the weekend.

Members of the league had

gone to Atlantis to undertake "house visits" and distribute 1 000 pamphlets.

A spokesman said that when they regrouped at their cars at 4 pm, a policeman was busy taking down registration numbers.

He said more policemen arrived in three vans and 40 people were asked to accompany

them to the Atlantis police station. About 50 pamphlets were confiscated.

The spokesman said that after waiting for an hour for a security policeman to arrive from Paarl, the police agreed that four people could represent the group and 36 were allowed to go.

The four were questioned by

a security policeman for about 30 minutes and then released.

Major George Kershoff, police liaison officer for the Boland, confirmed that a security policeman had questioned four people.

"The policemen checked through the pamphlets and the people were told that they could go," he said.



# 16 Ibhongo pupils freed from custody

By Themba Molefe



mob of children.

z 8 | 2 | 8 4

Pupils in uniform thronged the court corridors yesterday looking for the courtroom where their fellow pupils were to appear.

The situation grew tense later in the morning as more pupils arrived joining the others who were then congregating outside Court 15. A policeman asked the impatient pupils to go out of the building and wait for the 16 who were in custody. He informed them that they were to be released pending further investigations.

Clenched fists were raised, shouts of "Amandla" were heard and relieved mothers ululated when the boys appeared from the cells.

Traffic in West Street was halted as the chanting pupils marched to a church in Anderson Street where they congregated amid singing and shouting of slogans.

At the church the pupils resolved to arrange a meeting between the principal of Ibhongo and their parents.

Mr A P de Vries, senior public prosecutor, yesterday confirmed that the boys were released because police investigations were not yet completed. He did not, however, disclose the nature of the investigations.

The Ibhongo High School was closed for a day last week by the DET after boycotting pupils urged those attending classes to leave the premises.

Three Ibhongo pupils are still being held by police in connection with the murder of a man attacked by pupils in Moroka about two weeks ago.

"Soweto has come to the city" was a remark passed yesterday as jubilant Ibhongo High School pupils and supporters left the precincts of the Johannesburg Magistrate's Court after 16 schoolboys were freed from custody pending further investigations by police.

Picture by  
Jude Ngwenya

# Policemen to appear after alleged death in custody

Argus Correspondent

JOHANNESBURG. — Four policemen, three whites and a black, will appear in the Circuit Court at Volksrust next month in connection with an allegation of murder and another of attempted murder.

Mr Timothy Manana was allegedly killed and an attempt was allegedly made to kill Mr Absalom Manana while they were in custody at

Dirkiesdorp on May 13 last year on charges of stock theft.

The Assistant Attorney-General for the Transvaal, Dr Jan D'Oliveira, said today the trial would be from March 28 to 30.

Dr D'Oliveira said he could not release details of the charges against the policeman, or their names, because they had not yet received summonses.

Dr D'Oliveira confirmed that Constable Johannes Andries Nienaber, 21, of Dirkiesdorp, will appear before the Circuit Court in Volksrust on March 19 or 20 charged with murdering Dirkiesdorp community leader Mr Saul Mkhise on April 2.

It is alleged he was murdered while addressing a protest meeting of 300 people against the Government's intention to resettle them.

He died of shotgun wounds.

# Section 50 used by SP as a cover' *Stew*

## Political Reporter

Detention and harassment of opponents of the Government have reached new levels in recent weeks, says the Detainees' Parents Support Committee.

The DPSC viewed with growing alarm the use of section 50 of the Criminal Procedure Act as a cover for the activities of the Security Police, and as a means of harassing opponents of the Government, the committee said in a statement yesterday.

"Attention focused on detentions and the use of torture has frustrated the Government in its attempt to project an image of reform both at home and abroad.

"The DPSC is receiving reports showing that detention and harassment have reached new levels in recent weeks. Yet the Government is trying to create the public impression that, if anything, detentions are easing.

"The method being used to create this distorted picture is the widespread use of section 50 of the Criminal Procedure Act to detain people."

The committee says the deception operates at various levels.

"Firstly, detentions of people under section 50 are simply not reported. Section 50 is the provision under which suspected criminals are held. It provides for a maximum detention period of 48 hours.

"Secondly, this technique is being used to interrogate and harass people rapidly and secretly. People are picked up (or told to report to the Security Police), grilled and dumped on their doorsteps, sometimes within the space of 12 hours — before anyone hears about it.

"Whenever political activity intensifies, so does this form of harassment.

"Certain individuals have been repeatedly picked up in terms of this section in the last few months. Such action is increasingly being used in an attempt to scare off the rank and file of organisations opposing the Government, particularly those affiliated to the United Democratic Front."

The Security Police has been asked to reply to the allegations, but no reply was available at the time of going to press.

# Detainee <sup>Staw</sup> tried to 329 29/12/84 fool doctor

Pretoria Correspondent

Former student leader Mr. Auret van Heerden said he had tried to "manipulate" a medical doctor so he could receive food parcels while in detention.

Yesterday was the fifth day Mr van Heerden was cross-examined by counsel for the ten Security policemen he is suing for R113 000 for allegedly torture and assault.

Mr van Heerden admitted he deliberately told the doctor his ulcer pains had started again so he would be allowed food parcels from his parents.

Earlier he told the court he had been transferred to Benoni, where the torture reached a climax of physical abuse.

The policemen's counsel, Mr HZ Slomowitz (SC), said his clients denied all allegations of torture. Mr van Heerden was moved to Benoni so he could not communicate with other detainees, and the people who interrogated him there all lived in that area.

(Proceeding)

329 *Handwritten Q. 61. 418*  
Internal Security Act  
29/2/84  
319. Mrs H SUZMAN asked the Minister  
of Law and Order:

- (1) How many persons are detained at present under (a) section 48(1) and (b) section 31(1) of the Internal Security Act, No 74 of 1982;
- (2) whether any of these persons in each such category have been detained for longer than three months; if so, (a) how many and (b) for what period in each case?

419

WEDNESDAY, 2

The MINISTER OF LAW AND ORDER:

(1) (a) One.

(b) Five.

(2) (a) Yes.

Section 28: One.

Section 31: Four.

(b) Section 28: One person still being detained since 13 November 1982.  
Section 31: Four persons still being detained since 25 July 1983.

**Yeoville: offences**

320. Mr H H SCHWARZ asked the Minister of Law and Order:

How many crimes of each type were committed and reported to the South African Police in 1983 in the police station areas into which the Yeoville Parliamentary constituency falls?

The MINISTER OF LAW AND ORDER:

Owing to the volume of work and the time involved in collecting and compiling the particulars asked for, I consider it impracticable to furnish the information required.

# 4 POLICEMEN IN MURDER CASE

(329) Swetun 29/12/84 (22)  
FOUR policemen, three whites and a black, will appear in Circuit Court at Volksrust next month charged with the murder of a young black and the attempted murder of his father.

The policemen are alleged to have killed the young man, Mr Timothy Manana, and to have attempted to kill his father, Mr Absalom Manana, while the men were in custody at Dirkiesdorp on May 13 last year on charges of stock theft.

The Assistant Attorney General for the Transvaal, Dr Jan D'Oliveira, said yesterday the trial of the four policemen would be from March 28 to 30.

## **Charges**

Dr D'Oliveira said he could not release details of the charges against the policemen or their names because they have not yet received summonses.

The three white policemen have since been transferred from Dirkiesdorp to other areas.

Dr D'Oliveira confirmed, however, that 21-year-old Constable Johannes Andries Nienaber of Dirkiesdorp will appear before the Circuit Court in Volksrust on March 19 or 20, charged with murdering Mr Saul Mkhize, the Dirkiesdorp community leader on April 2.

## **Protest**

It is alleged Mr Mkhize was murdered while addressing a protest meeting of 300 people against the Government's intention to resettle them.

Mr Mkhize died of shotgun wounds.

In a statement handed in when he appeared in the Wakkerstroom Magistrate's Court on November 17, Constable Nienaber pleaded not guilty and denied killing Mr Mkhize, saying his actions at the time were in no way unlawful.



XX Handwritten Q.61. 394 X  
329 Criminal Procedure Act  
29/2/84  
26 Mrs H SUZMAN asked the Minister  
of Law and Order:

Whether the South African Police keep records of the number of persons held by the Security Branch under section 50 of the Criminal Procedure Act, No 51 of 1977; if not, why not; if so, how many persons were held under this section (a) in 1983 and (b) from 1 January 1984 up to the latest specified date for which figures are available?

†The MINISTER OF LAW AND ORDER:

No, because no record is kept of the particular branch of the South African Police detaining persons in terms of this section.

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WEDNESDAY, 29

#### Internal Security Act

\*27. Mrs H SUZMAN asked the Minister of Law and Order:

- (1) Whether the code regarding the interrogation of persons held under section 29 of the Internal Security Act, No 74 of 1982, also applies to the interrogation of persons held by the Security Branch under section 50 of the Criminal Procedure Act, No 51 of 1977; if not, why not;
- (2) whether any steps will be taken to introduce such a code; if not, why not; if so, when?

The MINISTER OF LAW AND ORDER:

- (1) No. Because persons detained on suspicion in terms of section 50 of the Criminal Procedure Act, 1977, are not detained for interrogation as referred to in section 29 of the Internal Security Act, 1982, and the period of detention in terms of the first mentioned provision is limited to not longer than 48 hours. The directives relating to the detention of suspected persons in terms of section 50 of the Criminal Procedure Act are considered to be adequate and are within the knowledge of all members of the Force.
- (2) No, because the directives, as contained in the Criminal Procedure Act itself, and in Standing Orders, are adequate.