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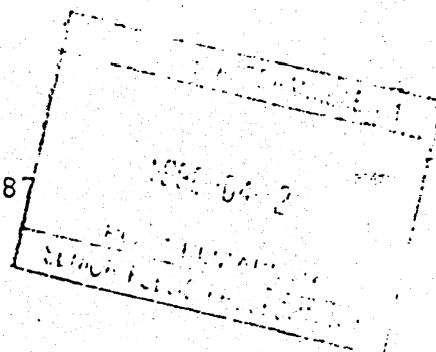
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IN THE REGIONAL COURT FOR THE REGION EASTERN CAPE  
HELD AT NEW BRIGHTON, PORT ELIZABETH.

INQUEST NO. 626/87



DECEASED: SPARROW MKONTO  
SICELO MHLAULI  
FORT CALATA  
MATTHEWS GONIWE

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BEFORE: MR E DE BEER

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ADV M HODGEN (Deputy Attorney-General)

Assisted by ADV D ELS

APPOINTED BY MAGISTRATE

ADV A CHASKALSON S.C.

ASSISTED BY ADV BAM

MR D MELUNSKY

D Vabayo

ON BEHALF OF  
NEXT OF KIN

(Instructed by Legal Resources)

ADV. J NEPGEN S.C.

ASSISTED BY ADV. E. LEACH

ON BEHALF OF MINISTER  
OF LAW AND ORDER

(Instructed by State Attorney)

ADV. I. MOOSA

(Instructed by C.M. Somyalo & CO)

ON BEHALF OF AZAPO

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COURT: Before I commence with these Inquest Proceedings, I would like to place the following on record.

I am today, on 15th February 1989, dealing with four separate inquests in one matter. The inquests are being held in terms of the Inquest Act, Act No. 58 of 1959 into the circumstances of the death of:

- (a) Matthews Goniwe - Inquest No. 626/87;
- (b) Sicelo Mhlauli - Inquest No. 627/87;
- (c) Sparrow Mkonto - Inquest No. 628/87;
- (d) Fort Calata - Inquest No. 629/87.

Because the facts in all four inquests are so closely related to one another, I have decided to conduct the inquest under Inquest No. 626/87, with just a cross-reference made to it on the other inquests. I will, however, on completion of the inquest make the acquired findings in terms of Section 16 of the Act separately in respect of each of the deceased.

The presiding magistrate - E de Beer. There are no assessors.

Adv. M Hodggen, the Deputy Attorney-General has been appointed by me in terms of Section 11 to lead the evidence. He is assisted by Adv. D Els.

Adv. A Chaskalson (S.C.) appears on behalf of the next of kin of all four deceased as instructed by Legal Resources. He is assisted by Adv. Bam and Mr D Melunsky of Legal Resources and also attorney Deeva Vabayo.

Adv. J. Nepgen ( S.C.) appears on behalf of the Minister of Law and Order and members of the Force as instructed by the State Attorney. He is assisted by Adv. E Leach.

Adv I Moosa appears on behalf of AZAPO as instructed by C.M. Somyalo & Co.

Mr Moleni will act as interpreter where necessary.

All/...

All the relevant statements referred to in Section 4 have been placed before me in terms of Section 5 of the Act. After a perusal of these documents I have decided that a formal inquest should be held in respect of all four deaths at the same time. Notice in this respect has been given to the next of kin of the deceased in terms of Section 7 of the Act.

I would like to say at this stage, for the benefit of those present who perhaps do not precisely know what the purpose is of the holding of an inquest, that it is to, where possible, in the interest of the public, find out by a magistrate whether the death of any person who has died of causes other than natural causes, has been brought about by any act or omission involving or amounting to an offence on the part of any person. It must however be emphasised that at the present there is no accused and that the inquest as such is not a criminal trial. I want furthermore to make it known that the taking of photographs of persons, situation or documents during the inquest proceedings is prohibited.

Will those people who have been summoned to give viva voce evidence in terms of Section 13(2) of the Act now please leave the court. I will now ask Adv. Hodgen to begin identifying the sworn statements allowed by me in terms of Section 13(1) of the Act and to hand it in. By prior agreement by all the parties concerned, only some of the statements will be read out in full prior to it being handed in.

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COURT: Mr Hodgen?

MR HODGEN: Thank you Your Worship. Your Worship I would first like to express my appreciation and that of my office that you have appointed myself and Mr Els in terms of Section 11(1) of the Inquest Act. I think it should be drawn to the public's attention that normally an inquest is dealt with by the local prosecutor's staff and only on the finalisation of the inquest is the record sent to the Attorney-General's office and the Attorney-General then considers it after it has been submitted in terms of Section (10) 17 of the Inquest Act. This matter was in fact initially dealt with by the local prosecutor's offices and late last year the senior public prosecutor requested the Attorney-General whether one of our staff could not be available to assist with the inquest. This was due to the non-availability of the assistant senior public prosecutor and also given the high and important nature of this inquest.

COURT: Thank you.

MR HODGEN: I would like to indicate that as we came in at a late stage our first and most important task was to get (20) all the papers together and to lay them before yourself as soon as possible and after having laid them before you with your permission we made them available to the parties on record that is the representatives of the families of the deceased and the State Attorney's office. We would like to also point out that while there are some gremlins in the papers because of the speed with which we had to act in getting all the papers before the relevant parties we felt it was more important that the papers all be filed immediately and that any small points could later be clarified or corrected. We (30) have subsequently filed certain clarificatory affidavits

and / ....

and affidavits covering certain further investigations which we considered helpful to the Court which you have given us permission to give to the relevant parties. This matter was postponed from 25 July 1988 to today after a request was made for a formal inquest to be held. I think it should be clear to the press and all the parties Your Worship that the holding of the inquest is in terms of Section 5 of the Inquest Act. It does not mean that the investigations are closed. It does not mean that action will not later be taken should suspects be traced. Thank you (10)

Your Worship. If I may begin with the statements?

COURT: Yes you may.

MR HODGEN: Your Worship the first statement that we deal with is one of Mrs Nyameka Goniwe, the wife of Matthews Goniwe and the crux of this statement which is not necessary to read out in full is that on the morning of 27 June 1985 at 10.00 a m her husband Matthews Goniwe, Sicelo Mhlauli the other deceased, Sparrow Mkonto the further deceased and Fort Calata the last deceased, left Cradock in a cream Honda Ballade CAT 8479. That was her husband's car and (20)

that is the last time Mrs Goniwe saw her husband alive. She says he was due to come back that evening and the following morning when she phoned a Mr Fazzi in Port Elizabeth she found that he should have actually come back. She also phoned a Mr Derek Swartz who also confirmed her husband had left Port Elizabeth the previous night. Your Worship I hand in then the first statement which is A1.

COURT: It will also so be marked as A1.

MR HODGEN: Your Worship the next statement is A2. It is also by Mrs Goniwe. It merely covers an alleged death threat which was apparently made to her husband one day. (30)

A bottle was left at their house with the word "death" written in it and there was a dead cricket in the bottle. She gave this to the police with the view that this might have shown some sort of suspect or somebody who had something against her husband. I hand that in as A2 Your Worship.

COURT: Yes.

MR HODGEN: Your Worship then A3 is a statement by Alex Goniwe. He alleged that he received a report that the deceased's car was seen at Cookhouse in the middle of the day (10 on the day when the deceased disappeared. This it will appear later was merely early in the day and the deceased was seen later in Port Elizabeth. I hand in this A3. Your Worship A4 is a statement also by Alex Goniwe in which he mentions the formation of Cradock, an organisation for the Cradock Residents' Association in Cradock. He mentions that this was formed and there were representations to Mr Koch about the administration of Cradock in this regard. He also mentions that Matthews Goniwe was transferred from one school to another preceding these incidents. Your Worship (20 I hand in A4. Your Worship A5 is the identification of the body of Matthews Goniwe by Alexander Goniwe. Your Worship A6 is also a statement by Alexander Goniwe. It is not important that this statement be read out. Your Worship A7 is the statement of one Nico Oosthuizen who is a constable in the South African Police stationed at Cookhouse. He alleged at between 12.00 midday and 1.00 p m on the afternoon of 27/6/85 he had seen Mr Goniwe's Honda Ballade at Cookhouse. Your Worship this affidavit merely mentions the movements of the deceased on the day. Your Worship the (30 statement A8 is by Henry Mtile Fazzi who is vice-president

of the UDF. He indicated that he knew the deceased well, that he knew there was to be a meeting on 27/6/85 and that he knew that the parties, the deceased in this matter, were going to the house of Derek Swartz later that evening and that in fact they did do so. Your Worship he was one of the people contacted by the family on the following morning to ascertain what had happened to the deceased. I hand in A8. Your Worship the next statement is A9. It is a statement by Michael Benjamin Coetzee, giving the nature of this statement I submit that this is one of the statements which should be read out and I will proceed to read it out. It is a statement made in Afrikaans and I will continue in Afrikaans. (10

MR HODGEN READS OUT STATEMENT A9 TO THE COURT

MNR HODGEN: Ek handig dan BEWYSSTUK A9 in. Die volgende verklaring is een van Derek Swartz A10 en ek lees hom ook graag uit Edlagbare.

HOF: Ja wel ek het aangedui dat ek sekere verklarings uitgelees wil hê. Ek wil nie die verkeerde indruk laat geskep word dat u die besluite neem hier en u besluit watter uitgelees moet word en nie. Ek wil dit net duidelik op rekord stel. (20

MNR HODGEN: Nee, nee - ja ek is jammer Edlagbare. Hierdie is een wat u aangedui het.

HOF: U moet maar net u woordkeuse behoorlik kies. Dankie.

MNR HODGEN: Ja.

MNR HODGEN LEES VERKLARING A10 AAN DIE HOF UIT

MNR HODGEN: Edlagbare ek handig dan A10 in. The next statement is A11. It is a statement of one Zitambe Ngalo, a person who works as a warder at the J C Steyn Prison in Kirkwood. He is the person who lived near the old Redhouse (30



Road at a place called Stonehill at the time of these events and on 28 June 1985 at approximately 12h00 he found the body, at that time of an unidentified, black man about 200 metres from his house where it was next to the bushes. The person was partly burnt and he also saw blood and what appeared to be .22 fired cartridge cases. He went to the tar road and summoned a police vehicle, a Casspir that he saw and stopped it and showed the people where the body was. This body later I may add was the body identified as Sparrow Mkonto. I hand in A11 Your Worship. A12 is the statement (10 of one Angus McKay a warrant officer who took photographs of the body of the said deceased that I have just mentioned and also took photos of a burnt-out car near Scribante Race Course. A13 is the statement of Sergeant Basson. Sergeant Basson is the person who went to where the vehicle was found. That is the one near the Scribante Race Course and this car was found on the Addo road, near the Addo road, behind some bushes. The registration plate CAT 8479 was at the back of the vehicle. A14 is a statement by female Constable - Detective Constable R M von Molendorff. She received a (20 report from an unknown person that there was a body found near the Bluewater Bay road. I hand that in Your Worship. A15 is the statement of Lieutenant-Colonel Ignatius Michael Ferreira. He received the report that an unknown person - from an unknown person that there was a burnt-out body on the dunes near the Bluewater Bay beach. He went to the scene and found the body and found that the lower part of the right arm was from the body. Your Worship later on it turned out that this body was that of Sicelo Mhlauli. Your (30 Worship I now proceed to the statements by Detective War-rant Officer Els. As the Court has indicated only certain

of these need be read out. The ones that are to be read out are A16 and for completeness sake I will read out the other statement A115 immediately after A16 as the Court has directed because the two statements in fact follow on to each other. The first statement was taken initially and A115 was taken recently tying up the loose ends.

MNR HODGEN LEES VERKLARING A16 AAN DIE HOF UIT

MNR HODGEN: Edelaagbare dit is die verklaring A16 wat ek nou inhandig. (10

HOF: Ek dink dit is 'n gerieflike tyd op die stadium om te verdaag vir tee.

MNR HODGEN: Soos die Hof behaag.

HOF VERDAAG - HOF HERVAT

COURT: You may proceed.

MR HODGEN: Your Worship the next statement is the statement A115 by Stephanus Johannes Els.

MNR HODGEN LEES VERKLARING A115 AAN DIE HOF UIT

MR HODGEN: Your Worship I then hand in statement A115.

Statement A17 is a further statement by Warrant Officer Els (20 regarding certain further investigations that he dealt with.

It is not an important statement Your Worship. I hand that in. The following statement A18 is also by Warrant Officer Els regarding items sent off for examination. I hand that further statement in. A19 is a further statement by Warrant Officer els indicating he sent off items to be examined.

A20 is a further statement by Warrant Officer Els also sending off items for examination. A21 is also a statement by

Warrant Officer els indicating that although the firearm appeared at the time of the writing of the statement to be (30 a .22 Gevarm that was used in this case that he could not

say / ....

say for certain that it was a Gevarm and that the fire-arms that he took for analysis were taken from the computer list of owners of .22 firearms of that make. I hand in A21. A22 is a further statement by Warrant Officer Els indicating he sent off certain firearm Gevarms to be tested and also of course that the relevant fired cartridge cases and .22's were sent for analysis. A23 is a further affidavit by Warrant Officer Els in connection with the fact that a certain witness Zolile Jole was apparently at Goedemoed and that there had been alleged communications regarding what (10) this Zolile Jole said which may have been relevant for investigation. It however appeared that the information given by Zolile Jole later that it was false. I hand in A23. A24 a further statement by Warrant Officer Els that he gave two .22 firearms with nos 37847 and 36008 to Captain Jonker to be taken for ballistic analysis. Also certain other items were sent for analysis. I hand in A24. A25 a further statement by Warrant Officer Els confirming that in fact there was - he ascertained that there was tapping of Matthews Goniwe's telephone and A26 is a further statement by Warrant (20) Officer Els confirming that the car CB 10627, the number plate which in other affidavits had been found at the scene, that vehicle was apparently scrapped on 19 January 1984 and was sent to Heine & Strydom who deal with scrap motor vehicles. I hand in A26 as well. A27 is the statement of Major Eric Frans Norman Winter, a major stationed at Cradock and a member of the Security Branch who confirms that they - his branch had ministerial permission in terms of Section 118(a) of Act 44 of 1958 to tap the telephone 2471 for the period 8/6/85 to 7/12/85. I hand in A27. A28 is a further state- (30) ment by Major Winter that in fact - dealing with an alleged

joke and other minor matters Your Worship. I will not read this statement out. I hand it in, 28. Your Worship that is as indicated the actual extract of the tapping as the Court has directed will be dealt with later when we deal with Msoke's second statement. The following statement is A30, a statement by Warrant Officer Msoke of the Security Branch at Cradock to indicate that he worked at the Security Branch offices in Cradock and that conversations taped were recorded and written up in a register. I hand in A30. Your Worship for completeness I will at this stage also hand in his statement that he later made as the Court has directed A118. Your Worship this is a further statement by Warrant Officer Msoke where he attaches a record of the conversation that he taped from telephone no 2471. That is of course the telephone of Matthews Goniwe and he indicates that the actual tape recording itself was re-used later and the only copy now is his notes that he made of the conversation. I hand in these notes and these notes which are attached to his statement indicate that while Matthews Goniwe spoke to Derek Swartz on the day and indicated that he was going to Port Elizabeth, it appears from his notes that he did not say whether he was going back that night or not. I at this stage hand in the photo albums which are covered by covering affidavits. The relatives and parties have all copies of these and there are separate photo albums in respect of each of the deceased. I hand in the four photo albums. (10)

COURT: It will be A31, A32, A33 and A34 and then the aerial photo A35. (20)

MR HODGEN: A35. (30)

COURT: Plus A127 the covering affidavit.

MR / ....

MR. HODGEN: Yes that is correct Your Worship. Your Worship I proceed then immediately with the statements A36 and subsequent statements. Your Worship I hand in the statement of A36 the statement of Willem Leering who took photographs of the body of a black male near Bluewater Bay beach. I hand in the statement of A37, the statement of one Ian Zaayman a constable who also took photographs in the vicinity of Bluewater Bay. I hand in the statement of A38 also Ian Zaayman who indicates in this further statement that he took further photographs in the vicinity of St George's Strand beach. I hand in the statement A 39 from Carl Lottering, warrant officer, in respect of the body that was found near Stonehill Redhouse and dealing with the conveyance of that body. I hand in also a statement of A40 by Johan Willem Strydom who helped with the search for Matthews Goniwe and Fort Calata's bodies and who in fact identified those bodies to Warrant Officer Els. A41 is the statement of Antony de Souza, a sergeant who went to where the two bodies were shown to him by Warrant Officer Els near St George' Strand and who then conveyed the bodies to New Brighton Mortuary. I hand in the statement A42. This is a statement by David Mhlauli who identified the body of the deceased Sicelo Mhlauli. I hand in the statement A43 by Bernard Calata who identified the body of Fort Calata. I hand in the statement A44 of MacDonald Mkonto who identified the body of Sparrow Mkonto. A45 I hand in the statement of Detective Warrant Officer Hamlet who took photographs of the bodies at the mortuary as pointed out by Warrant Officer Els. Your Worship I now proceed to the first post mortem report, the first post mortem report that is A46 and as indicated by the Court that I could briefly

summarise this report. It is the post mortem report on the examination of the body of Sparrow Mkonto whose reputed age was 32 years of age. The examination was conducted at New Brighton Mortuary on 3 July 1985. The report is in Afrikaans and I read the following extracts from the report:

MNR HODGEN LEES UITTREKSELS UIT VERSLAG A46 AAN DIE HOF UIT

MNR HODGEN: Edelaagbare ek handig dan in die lykskouings-verslag A46. Ek mag net meld dat alhoewel daar verbranding was - although there was burning this did not contribute to the death according to the report. Your Wor- (10)  
ship in respect of A47 it is merely a blood alcohol report. I hand it in. It also indicates very minor portion of "koolstof monoksied" in the blood. Your Worship I then proceed to A47 which is the report by Dr Knobel on the post mortem examination conducted on Sicelo Mhlauli.

COURT: A48.

MR HODGEN: A48 yes Your Worship. This post mortem was conducted on 3 July 1985 at the mortuary at New Brighton, Port Elizabeth. The body was identified by Warrant Officer els as Sicelo Mhlauli whose approximate age was 36 years. (20)  
The main findings were as follows: "Dat die dood plaasgevind het vermoedelik 27/6/85 om onbekende tyd in die aand. Die liggaam na bewering was gevind om 13h00 te Bluwatervoorbaai, Port Elizabeth op 29/6/85. Die liggaam toon ook uitgebreide verbranding met verkoling van groot areas van die liggaam.  
(b) Daar was veelvuldige steekwonde aan die liggaam naamlik 25 steekwonde aan die voorkant van die borskas en arms. Sewe steekwonde agter op die rug. 'n Groot snywond voor en regs aan die nek. Die regterhand was net bokant die pols totaal afwesig met 'n steekwond deur die vel bokant die (30)  
regterpols en 'n steekwond dwarsdeur die vel van die linker-

hand / ....

handpalm." The cause of death is then given as "veelvuldige steekwonde en die gevolge daarvan". Just a synopsis of that is that the body was extensively burnt, that there were multiple stab wounds namely 25 stab wounds in the front of the chest and arms, 7 stab wounds at the back and a large cut wound in the front to the neck area. Also that the right hand was severed from the arm and was missing, that there was a stab wound in the skin above the right - in the lower arm, forearm and a stab wound through the skin of the left hand palm. Your Worship I hand in A47 - A48, A48 Your Worship. (10 I now proceed to A49. This is again a report on an examination of the blood which shows no alcohol and "koolstof monoksied" in die bloed gevind in 'n hoeveelheid van 10% versadiging van die hemoglobien totaal". This is effectively carbon monoxide 10% in the blood. Your Worship I turn to A50 which is also a report by Gideon Jacobus Knobel in respect of a post mortem examination. This is the post mortem examination conducted by him on 3 July 1985 on the body of one Fort Calata whose estimated age was 29 years.

COURT: You might only confine you to the cause of death (20 there. It is not necessary to elaborate.

MR HODGEN: As the Court pleases. The cause of death in this case was found to be "steekwonde in die hart en die gevolge daarvan". The body was also extensively burnt. I hand in A50. A51 is the examination of the blood sample of that deceased. Again there was no alcohol in the blood and carbon monoxide was only 5% in the blood. I hand in A51. A52 is the post mortem examination conducted by Prof Knobel on the body of the deceased marked 1065/85.

COURT: Yes that will be Matthews Goniwe. (30

MR HODGEN: That is?

COURT: Matthews Goniwe.

MR HODGEN: Yes M'Lord, which is Matthews Goniwe. Again the estimated age was 38 years, the probable time of death was 27/6/85 and again the cause of death was found to be "veelvuldige steekwonde en die gevolge daarvan". Your Worship I hand in then A52. Again the body was burnt as has been indicated by Warrant Officer Els. The A53 is again a report as to the presence of any alcohol in that body and in the eye liquid it was found that .02 grams per 100 millilitres of alcohol were found. I hand in A53. A54 is a further report on the deceased as to his blood, checking his blood sample. There was no blood alcohol found in the blood sample and carbon monoxide was found to a degree of 10% in the haemoglobin. (END OF TAPE - NEW TAPE STARTS). A54 is a detailed analysis and records the receipt of various samples sent in. The findings here appear to take the matter no further and I hand in A55. It is a report of Johannes Bernardus Lourens. The same is true for A56, a report by Pierre Jacques Joubert, a lieutenant in the Forensic Laboratory of the S A Police. Again it does not take the matter any further. I hand in A56. A57 is a report by an independent forensic consultant, is headed on the top. It is a report by one Klatzow(?) who I understand was originally appointed by the representatives for the family. He examined the vehicle, he examined various items relating to the case and scenes of the crimes. He made certain findings as a result of that and in this respect I only as indicated by the Court read out the conclusions. He concludes in his statement it is likely the car stopped of its own accord, that is the car of the deceased Goniwe. 2. The car was deliberately set ablaze. 3. The car was driven by somebody other than the original driver, namely



Mr Goniwe as the aforementioned was a man of short stature. Then examination of the sites where the bodies were found. The sites were examined, one near Bluewater Bay and the other near some primitive shacks. Both sites show evidence of fire caused by petrol. A fair amount of petrol remained on the one site. At both sites there was evidence of burnt clothing. At Bluewater Bay site there was ample evidence of blood. The conclusions I draw, viz-a-viz this are: 1. The occupants were alive when they were taken from the car. (10 2. They were probably killed at the sites at which they were incinerated as evidenced by the copious blood I found there although I cannot exclude post mortem bleeding to a certain extent. It seems more likely they were killed there. 3. It is impossible to identify the petrol that I found at the site as to its origin. I then hand in A57. A58 is a report by Thomas Frederick Hermanus Wolmarans. Hy is 'n. adjudant-offisier in die Suid-Afrikaanse Polisie. Hy is verbonde aan die ballistiese eenheid van die Forensiese Wetenskap Laboratorium en hy is die ondersoeker van vuurwapens. Hy (20 het een Gevarm ontvang. Hy het dit ondersoek. This statement actually takes it no further and I hand it in. He also made a further statement A59 which also dealt with Gevarm firearms received and he said these Gevarms cannot be linked with any outstanding cases. I hand in A59. A60 is a further statement by Warrant Officer Wolmarans of the ballistic section of the S A Police. In this case he received the two .22 fired cartridge cases and the two .22 bullets that were found in the body of the first deceased. He came to the following finding, that the bullets, the fired bullets found in the deceased's body, were fired from the same firearm and the (30 cartridge cases were also fired from the same firearm. He cannot / ....

cannot link these items to any outstanding cases at present and he says in this statement it was probably "moontlik" a Gevarm firearm. I hand in A60. A61 is a statement by Captain Jonker in which he arranged the two Gevarm firearms be sent for analysis. A62 is a further statement by Captain Jonker in which he made checks to ascertain the existence of a car CB 10627 or that registration in the police records to ascertain whether such a car could have been used for police purposes and his findings are negative. I hand in A62. Now I turn to the statement A63. This is a statement (10 by one Mlungisi Alfred Nzima. he is the person who originally owned the vehicle, Chev motor car CB 10627. This is the number plate for the public that was found at the scene where the burnt-out car was. He says his motor vehicle was scrapped on 19 January 1984 and the crux is that his vehicle could not have been involved in this matter. I hand in A63. A64 merely relates to the said Nzima. It has no real relevance. I hand in A64. A65 is also a brother of the said Nzima. He mentions that the car was scrapped, CB 10627 and it was handed over to the firm Heine & Strydom in a wrecked state. (20 With these affidavits was also handed in a notice of permanent unfitness of the vehicle. A67 is the statement of Antony Michael Ferreira, lieutenant, who mentions that one often comes across false licence "skyfies". A68 also deals with the said CB registration number and this is the senior superintendent of the Traffic Department of Port Elizabeth. He indicates that during 1984 three tickets were issued to a vehicle with registration CB 10627. These tickets were issued at Victoria Quay, Port Elizabeth in Strand Street and a further ticket in Strand Street and they were issued during the month (30 of July 1984. He has attached copies of the tickets to his statement / ....

statement. I hand in A68. The following statements all deal with efforts to ascertain how this vehicle could have been on the street after it had allegedly been scrapped and they do not take the matter any further. I therefore hand in A69 covering this, a statement by one Finestone A70 which also covers efforts to trace this vehicle, A71 which is the statement of one Jonck which mentions that vehicles once they are scrapped the parts are sometimes sold to the public, etcetera and A71 a statement by one Robert Upton - A72 sorry (10 Your Worship by Robert Upton saying that the bodies of scrapped motor vehicles which are sold to the firm Heine & Strydom, he says: "Motorwrakke en registrasieplate word saamgepers en word dan na die staalwerke gestuur." So he says cars, the wrecks are crushed with their number plates and sold to steel works. I hand in the statement A72. A73 also deals with the said vehicle of Nzima that was scrapped and confirms that it appears that it was destroyed. I hand in A73. The following two statements Your Worship are statements of witnesses that the Court has indicated should be led viva voce. As (20 indicated by the Court these statements will stand down until the witnesses are called later in the proceedings. The following statement is by Gladwell Mkahula, A76. Your Worship it really does not take the matter any further. It is inter alia about allegations of apparently words used to one of the parties. I hand in A76. It is a statement by Gladwell Mkahula mentioning that a certain person unknown to him was questioned by a Miss Christie at Grahamstown. The person alleged that he knew who was responsible for the deaths of Goniwe and others. Your Worship as Miss Christie will be called later in the (30 proceedings I merely hand in the statement A77. Your Worship

A78 also does not take the matter really any further and I hand in the statement A78 by Gladwell Mkahula. Your Worship the next three statements are all statements where the witnesses will be called to give viva voce evidence as directed by the Court.

COURT: A79 also? Sendiswa Mkonto.

MR HODGEN: M'Lord sorry, My Learned Assistant - A79 is not in that group. That is one by Sendiswa Mkonto, A79. It is the wife - the statement of the wife of Sparrow Mkonto where she says I do not suspect anybody in particular in respect of the death of my husband although she mentions he had been questioned previously by the Security Police. I hand in A79. Your Worship then after A79 come the three statements, one by Christie, a copy of a statement made to her by one Ndawe and other statements by Ndawe and Bingo. I then come to the following statement which is A83, a statement by one Bona who interpreted when the said Ndawe was giving the statement to Captain Jonker. I hand in A83. The following statement is by one Kugile Nkwinti(?). He alleges that he is the chairman of the Albany area UDF and the contents of his statement will be dealt with when the witness Christie is called. I therefore hand in the statement A84 at this stage. The following statement A85 is one by Pila Nkaye who was allegedly present when Mrs Christie conducted interviews with people. He refuses to make any statement. I hand in A85. The following statement A86 is by Zolani Goniwe. It also deals with the alleged bottle and the locust - I think I said cricket before. I correct myself Your Worship and the locust threat. There appears to be nothing in this apparent threat. The following statement is A87 by Jan Johannes Neethling which / ....

which deals with the alleged assault during - when he spoke to certain deceased Mkonto. He denies such an assault and said there was no criminal charge laid. I hand in A87.

A88 is a statement by one Princess Ondolashe(?). It deals with the person who was brought to Mrs Christie, both the person brought to Mrs Christie and Mrs Christie are to be called. This statement does not take it really much further. I hand in A88. Your Worship there follow a number of statements dealing with various allegations, none of which appear to take the matter any further. I think there would be no objection (10 if I just handed these statements in.

COURT: Will you just identify them?

MR HODGEN: I will identify them, yes Your Worship. The first one is by Ivy Banse, A89. I hand in A89. The following one A90 is by Muli Advocate Ngobela. I hand in this statement. The next statement is one by Muriel Kyose(?) A91. I also hand in this statement. The next statement is by one Monde Banse, 18 years of age, A92. This person just for the information of the representative for Azapo says he does not know the person Mgina, that he was never a member of the UDF or Azapo, (20 that he is a Muslim since 1984 and he does not take part in any unlawful activities and that he prays five times a day. It appears he was alleged to have been one of the members of Azapo at the time of the problems. Your Worship I hand in his statement, that is A92. The following statement A93 is by Thobile Cecil Ondolashe(?). It does not take the matter any further. I hand in a statement A94 by Thambile Simon Qane(?). It is a statement by a member of the Security Branch. It also deals with the alleged complaint and threats prior to the event. It does not appear to take the matter any (30 further. I hand in a statement by Louis Wentzel A95. This

covers an alleged thing said "an eye for an eye and a tooth for a tooth". It appears to take the matter no further. I might just indicate Your Worship to the public that most of the statements cover suggestions by people that previous little threats or previous little things that were seen or done may have thrown some light of the matter. Each one of these was then checked and statements were taken from the relevant people. They are all mainly things of a minor nature and do not appear to point anywhere near the substantive enquiry in this case. Thank you Your Worship. A96 is a statement by Mkwenkwe Richard Molose who apparently was with Col Neethling and who denies any threats or assaults. A97 statement by Gert Simon Bosch. He is a person who works at the school Lingilihle School in Cradock. There was a suspicion that he may have had something to do with the threat and the "sprinkaan", the locust in the bottle. He denies it. There is a similar statement by - there are similar statements further on but A98 is a statement by Willem Johannes Karel van Aardt, he is the mayor of Somerset East. His statement takes the matter no further either. A99 is another teacher who was suspected of the bottle incident. He denies it. It takes the matter no further and I hand it in as well. (10)

COURT: Just place the name on record. (20)

MR HODGEN: The name of the deponent is Cornelius Johannes Janse van Rensburg, statement A99. A100 statement of Mr Lukas Visagie also covers this - also a teacher at Lingilihle High School. He knows nothing about this alleged threat to Matthews Goniwe or Fort Calata. I hand in A100. A101 a statement by Michael Christiaan Brookes Coetzee also a teacher at Lingilihle High School in Cradock. He knows nothing about / .... (30)

about the threats to and the bottle incident with the locust in the bottle. I hand in A101. A102 is a statement by Andreas Mulder who also worked at Lingilihle High School. He also knows nothing about the threat and the bottle incident.

I hand in A102. A103 a statement by Gerhard Johannes Goosen.

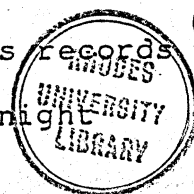
This is - and I might indicate to the public the following statements deal with the question whether there was a road block on the roads that could have been used by the deceased on the night in question. The following statements Your Worship all, several of them deal with whether there were official road blocks or not. The records of each police station or each group of police along the way were checked and the first statement is by Gerhard Johannes Goosen, A103, lieutenant in the South African Police stationed at Cradock as station commander. There were no official road blocks in his area on 27 and 28 June 1985. That covers the area-

between Cradock and Cookhouse and also Port Elizabeth. I hand in A103. A104 a statement by Dawid Johannes Bessinger, station commander of Cookhouse. He checked the registers and found there were no official road blocks on 27 June 1985 or 28 June 1985 in the district of Cookhouse. A105 is a statement of Andries Marthinus Janse van Vuuren, a warrant officer in the South African Police stationed at Middleton. He has checked the registers, he also indicates on the relevant time there were no road blocks in his area. A106 is a statement of James André Lotriet, lieutenant stationed at Somerset East. He has also ascertained that there were no official road blocks in his area on the night in question.

A107 is a statement of Johan Ebersohn, warrant officer in the S A Police at Kinkelbos. He has also checked his records and found there were no official road blocks on the night

A107 is a statement of Johan Ebersohn, warrant officer in

the S A Police at Kinkelbos. He has also checked his records and found there were no official road blocks on the night



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in question. A108 is the statement of Deon Oosthuizen, lieutenant in the South African Police stationed at Swartkops. He has also ascertained there were no official road blocks in his area on the night in question. A109 is the statement of Johan van Greunen, lieutenant in the South African Police stationed in the unrest - in charge of the unrest division in Port Elizabeth. He checked their records that he could trace and found no road blocks held on the respective night. The next statement is by Johanna - A110 by Johanna Maria Magdalena Esterhuizen, warrant officer in the South African Police, stationed at the District Headquarters and under the command of the District Commandant, Port Elizabeth district. According to her records there were no road blocks held on the night in question. There is also a map attached to this affidavit which indicates, it is marked A111. It indicates the possible roads to Cradock and it will be seen from the affidavits that have been handed in, all the stations relevant have been checked. Your Worship the following two statements are by A112 by the Rev Magina and A113 is a statement by one Bingo which the Court has indicated these two deponents should give evidence viva voce. Your Worship I come to the statement no A114. It is a statement by Petros Miya and also deals with the bottle and the insect in it. I hand in A114. Your Worship I have already handed in the statement by Warrant Officer Els A115 which was interpreted to the gallery. The following statement is A116 by Riaan Joubert who is a prison warder at Goedemoed Prison which I understand is in Aliwal North area. He indicates that the potential witness Zolile Jola came to them, was transferred to them from North End Prison, Port Elizabeth. I therefore just hand in A116. A117 is the affidavit of Warrant Officer Henry

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Crous. This affidavit indicates that the person Zolile Jola was in North End Prison for the relevant period of 1985 and could not have been involved in the murder of the deceased in this matter. I hand in the statement All7. Your Worship in respect of All8 it is the statement I have already dealt with earlier on and mentioned. It is the statement by Warrant Officer Msoki who indicates that the telephone number 2471 of Matthews Goniwe was tapped, that he is the person who had to transcribe it and his transcription thereof. We have already dealt with this and I hand in the statement All8 (10 and the relevant extract of the tapping. All9 is the statement of Eric Frans Norman Winter who says he is an officer in the Security Branch stationed at Cradock. He confirms that the tapping took place again and that these tapings were recorded. All20 is a detailed statement by the Wolmarans who examined the Gavarm earlier. He is now a captain in the South African Police and he is still attached to the Ballistics Section. He did a detailed examination of the bullets that were sent. Those are the bullets taken from the deceased Sparrow Mkonto and also the cartridge cases (20 found in the vicinity of Mkonto. It appears from his detailed examination in this that the bullets that were used, the .22 bullets that were used to shoot Mkonto were Eli bullets, a type of bullet that is sold by Britain. Eli bullets are obtainable at most outlets in South Africa according to the affidavit and from his detailed examinations of the marks on both the cartridge cases found near Sparrow Mkonto and the marks on the bullets that were retrieved from the body of Sparrow Mkonto it appears that the firearm that was used to kill or to shoot him was what he now refers to as a "Gevan" (30 and a separate "m" after that. He has a detailed set of photographs / ....

photographs supporting his conclusions and findings. I hand in the statement Al20 Your Worship. Finally Your Worship I come to the statement Al21 which is the statement of the investigating officer again, Stephanus Johannes Els, warrant officer in the South African Police who indicates that his efforts thus far to trace Zolile Jola have not been successful. Zolile Jola is Your Worship one of the witnesses the Court asked that should be subpoenaed for today. Al22 and 123 are both statements by the former if I can use the term meter maid in Port Elizabeth who issued the tickets in the centre (10 of Port Elizabeth as I indicated earlier. She has said she has seen the three tickets that were referred to in Carroll's affidavit, she issued those tickets and she issued those tickets in respect of a Datsun motor vehicle. I hand in both the statements by Susanna Catharina Horak, Al22 and Al23. Your Worship Al24 is the statement by Frederick Jacobus Marx Venter, a major in the Security Branch in Queenstown. This also covers events that took place long before the alleged offence and appear to cast no light on the findings that (20 this Court needs to consider. I hand in Al24. Al25 is a statement by Jacobus J. Erasmus. This is a statement as to the finding of the body near the Old Redhouse Road and this is a statement of effectively the second person on the scene it would appear. I hand in Al25, the statement of Jacobus Erasmus. Your Worship Al26 is a sworn statement by Detective Warrant Officer Hamlet who enlarged the photograph showing the car and where the number plate CB - the CB number plate which we have tracked down is shown on that photograph as well. The photograph is in already. I - the photograph (30 has already been handed in Your Worship. I hand in his covering affidavit / ....

affidavit for the photograph. Your Worship the Al27 has already been handed in as a covering affidavit for the photographs. Your Worship that concludes the affidavits and the section of the enquiry which is to be dealt with on affidavit. The witnesses to give evidence I understand those that are here are available but My Learned Friend for Azapo, Mr Moosa, would like to request an adjournment to consider his position. He is at this stage not able to proceed with the inquest until he has had time to study the papers. He was only appointed this morning and he feels the interests of Azapo might not (10 be properly covered if he does not have an adjournment to consider the papers.

COURT: Yes that is in order Mr Hodgen. Just first of all, I have already checked all the original documents to see whether they are properly sworn and attested to. In case I might have slipped will you just make sure that they are all in fact properly sworn and attested to?

MR HODGEN: Yes. Yes.

COURT: Just in case.

MR HODGEN: Yes, yes. (20

COURT: Could you just hand it in then I will hand it back to you later on?

MR HODGEN: Yes.

COURT: You can check it.

MR HODGEN: Your Worship I see they are in - I can get My Learned Junior as soon as we adjourned.

COURT: I would appreciate it.

MR HODGEN: Oh - to get them together and to bring them to Your Worship.

COURT: Then he can take this lot also, 1 to 60. (30

MR HODGEN: Yes.

COURT: They can keep it then together.

COURT: Should the Court adjourn now until two o' clock?

MR MOOSA: It would Your Worship.

COURT: Very well if it suits everyone the Court will adjourn until two o' clock.

COURT ADJOURNS - COURT RESUMES

COURT: Adv Hodgen I now ask to call and question the witnesses indicated by me to give evidence.

MR HODGEN: Your Worship the witnesses are ready. My Learned Friend Mr Moosa wishes to make an application at this stage (10  
Your Worship.

MR MOOSA: Thank you Your Worship. Your Worship I've looked at some of the affidavits that is directly concerning Azapo and ... (INTERVENES)

COURT: I think you had better just speak into the microphone, perhaps you can just - oh sorry.

MR HODGEN: There is a microphone in front there.

MR MOOSA: Thank you Your Worship. It becomes clear to me in looking at some of them that I will need the rest of this (20  
afternoon to go through them completely and to take instructions. I request that the matter be adjourned until nine o' clock or even before that if Your Worship pleases tomorrow morning.

COURT: Any objections by any of the other parties?

MR HODGEN: No Your Worship.

MR CHASKALSON: I am really in Your Worship's hands. I have been told by My Learned Friend that he will make available to me this afternoon some of the documents I have asked for so I can usefully use the time and so I have nothing to say really.

COURT: Yes Mr Nepgen? (30

MR NEPGEN: Your Worship in the circumstances should I have

the / ....

the witnesses brought in that are on subpoena and who are not - to be warned? There are two witnesses sitting outside.

COURT: Have they been warned to be here or are they in custody or what?

MR NEPGEN: They were subpoenaed for today yes.

COURT: Oh ja but what is the position with them? Are they on their own recognisance outside or what is the?

MR HODGEN: They are outside yes.

COURT: Oh, yes please do.

MR HODGEN: Yes. I will have them - Mr Orderly - (TAPE SWITCHED OFF AND ON AGAIN) ... has been appointed to represent one of my witnesses Mr Bingo as well. He indicates to me there is no conflict of interest with Azapo. (10

COURT: Very well. (TAPE SWITCHED OFF AND ON AGAIN) ... is warned to be here at nine o' clock tomorrow morning. The same goes for you Mrs Christie. You are warned to be here at nine o' clock tomorrow morning. The proceedings will then stand down until tomorrow morning at nine o' clock.

COURT ADJOURNS - COURT RESUMES ON 16 FEBRUARY 1989

COURT: You may proceed Mr Hodgen. (20

MR HODGEN: Thank you Your Worship. Your Worship as directed by the Court the first witness to give viva voce evidence today is to be Mxondesi Christopher Ndyawe. The witness is in the witness box.

COURT: Please stand up.

MR HODGEN: And Your Worship I propose proceeding once the witness has been sworn in by putting his ... (INTERVENES)

COURT: Now what is the interpreter doing over there?

MR HODGEN: Your Worship the interpreter is just getting a copy I understand of the statements to assist him. (30

COURT: Oh.

MR HODGEN: He has just come now.

MZONDESI CHRISTOPHER NDYAWA: d.s.s.

EXAMINATION BY MR HODGEN

COURT: You may proceed.

MR HODGEN: Thank you Your Worship. Mr Ndyawe, is it correct that there are three statements allegedly made by you in connection with this matter? --- Yes that is ... (INTERVENES)

COURT: Can you hear him Mr Interpreter? You must speak up please. --- Yes I do remember.

MR HODGEN: The first statement is allegedly made to a Mrs Christie and the other two, the following two statements are made to members of the South African Police. --- Yes that is correct. (10

Now I am going to read these three statements to you. The first statement Your Worship, this is a statement attached to A80 and it is marked "Draft Affidavit". The State has only got a photo copy of this statement and I begin, I read the statement which is marked "Draft Affidavit" and attached to the statement of Mrs Christie. (20

MR HODGEN READS THE STATEMENT TO THE COURT

MR HODGEN: Now this statement I have just read to you I have only a copy. It is annexed to a statement by Mrs Christie and she alleges that she took this statement from you on about 12 July 1985. Do you understand? I will refer to that as the first statement which you allegedly made to Mrs Christie. --- Yes I do understand.

I will now read you the next statement which is A81 Your Worship which is a statement ... (INTERVENES)

COURT: Yes, no I think that first statement should be marked A80(1). (30

MR HODGEN: As the Court pleases. That will be ... (INTERVENES)

COURT / ....

COURT: And then later on Bingo's.

MR HODGEN: It will be marked as A80(1). Your Worship I begin then with the second statement. This is a statement allegedly made to Captain Jonker of the Murder and Robbery Squad in Port Elizabeth and I will begin reading the statement. It is in Afrikaans. I will read it in Afrikaans and Mr Interpreter if you could interpret it to the witness.

MNR HODGEN LEES DIE VERKLARING AAN DIE HOF UIT

(10)

MNR HODGEN: Hierdie is nou die tweede verklaring wat ek aan u gelees het en daar is nog een verklaring wat ook na bewering geneem is deur die Suid-Afrikaanse Polisie. Edelaagbare ek lees nou verklaring A82.

MNR HODGEN LEES DIE VERKLARING A82 AAN DIE HOF UIT

MNR HODGEN: Nou, ek sal na hierdie verklaring - I will refer to this statement now as the third statement and that is the second statement that you made to the police. Did you make these two statements to the police? --- Yes I did.

Are these statements correct or not? --- They are correct.

(20)

And from what I understand of these statements in the statements you indicate what happened in connection with the first statement allegedly made to Mrs Christie. --- Yes that is - I never - excuse me. Yes that is correct. I do remember.

Is there anything else you want to say in connection with the statement you allegedly made to Mrs Christie? --- Yes I could say something.

If you want to say anything you are welcome to inform the Court now.

(30)

MR CHASKALSON: Could he please speak up a bit Your Worship?

Could the witness speak a little louder so that he could

be / ....

be heard by our side?

COURT: By whom?

MR CHASKALSON: We would like to hear what he is saying Your Worship.

COURT: Do you understand his language?

MR CHASKALSON: My Junior does.

COURT: Thank you. Please ask him to speak up louder please.

MR HODGEN: Your Worship may I suggest the witness stands closer to the interpreter so that he can face the audience and speak in the direction of the audience? I know normally a witness should face the Bench but it may assist the hearing of the audience if he stood close to the interpreter and spoke in that direction Your Worship. (10

COURT: Is it that important that the audience understand him? The audience must understand what the interpreter interpret to the Court.

MR HODGEN: Yes M'Lord it might be relevant for cross-examination

COURT: Not so? I appreciate that Mr Bam would like to exactly hear what the witness says in his language. That I appreciate.

MR HODGEN: Yes. Yes Your Worship. (20

COURT: But in any event please speak louder. --- I made this statement to this white lady because I was under and I quote "oppression" to tell the truth. Yes I was pressed and forced to say this because these people said they could even kill me for they did not know me. I could as far as they were concerned have been one of those who went around and killed people among them like the Azapo because in fact I had come to Port Alfred knowing no-one there and not even knowing where I was going to. They even asked me whom I knew there and I told them I knew no-one because I did not even know the town and I even lied to them and said I had (30

escaped / .....



escaped from jail.

COURT: Ja well he is not asked to repeat the statement again Mr Hodgen. What else would you like to know from him?

MR HODGEN: No. Are those the reasons then why you made the statement? The first statement to Mrs Christie. --- The white lady?

Yes. --- Yes those are the reasons why.

Thank you Your Worship. Your Worship I have no further questions to this particular witness at this stage Your Worship. Your Worship I hand in the two statements that have been read out by the witness. (10

COURT: Yes. I would like to know, does he confirm that he actually made the statement? That is the first statement to Mrs Christie which was read out to him. --- Yes I do confirm the statement here and there although I do not recall some of the things therein because I was then (I quote) "mixed up" and was attempting to save myself from imminent death.

Yes now I think the order of examining would be Mr Chaskalson. You will be the first. (20

EXAMINATION BY MR CHASKALSON

Mr Ndyawe in your statement you say that you have been convicted of theft and were in jail. Are you still in jail? --- Yes I am.

And you also say that you were convicted under a false name, you made up a name. --- Yes.

Is that so your own name would not go on the record? --- Do you mean the statement there?

No I mean when you were convicted of theft you made up a name. --- In fact I gave this name when I had been arrested to avoid my previous housebreaking records coming up and that / .... (30

that has been my way of doing things to avoid having my records always coming up when I am facing a case.

I see. So you make up stories when it suits you to do so? --- Could you explain that please?

Well if you think it will help you to make up a story you will make up a story even if it is not the truth. --- Would you tell me on what grounds you say that because ...  
(INTERVENES)

COURT: No just answer the question please and speak up. (10  
You make up false stories when it suits you. That is in essence the question. --- I never gave a story that was not so and under a false name for that matter. In fact I did not have a chance to give a false name there because my reference book was already there and I could not change my names to something else.

MR CHASKALSON: I am not talking about what happened at Port Alfred. I am talking about what happened when you were convicted of theft. --- Yes, yes that is correct.

Yes. --- Whenever I am caught I try by all means to avoid things, even give other names than mine. (20

Yes. Now you told us that when you came to Port Alfred that you were - you went to a house and you knocked on the door. --- Yes sir.

Did you know this house it was going to be? --- No sir.

Why did you choose that house? --- Well it is so that I walked there and passed many houses but it was fortunate for this one that I just went in.

Yes. You just went into the middle of town and chose a house and knocked on the door? --- Yes that is correct.

Yes and it just happened to be fortuitous that you knocked (30  
on the door of one of the Port Alfred political activists?

--- Yes / ....

--- Yes that is how it happened.

Yes and do you remember at the time when somebody asked you why that had happened that you said God had sent you?

--- Yes I say it was fortunate for this house that I went in there after passing by quite a number of them in this strange town with strangers to me.

Yes and did you when you were asked about it, did you say to them that God had sent you to that house? --- No I did not say I had been sent by God. I said it was only lucky that I went into that house. I just saw myself going in there. (10

Well I am not sure what you mean by that but I do not want to waste too much time on that but you went into the house, do you remember what happened when you got to the house? Did you knock on the front door or the back door? --- I would not remember.

You do not remember? All right, well let us not worry about that. I am going to take you away from that house for a moment though I may come back and ask you questions a little later but I want to get down to when you were being asked questions. You were taken from that house to another house. --- Yes sir. (20

And when you were at that second house you were asked questions. --- Yes sir.

And you gave answers to the questions that were asked and the answers were not believed. --- Yes.

And you say that you were threatened and told that you must tell the truth. --- Yes that is correct.

Yes. --- Yes that is correct but these people meant something I cannot say these were just idle threats. (30

Yes, no but you took the threat seriously. They threatened you / ....

you that they did not believe your story, you took their threat seriously and you were told you should tell the truth.

--- Yes.

And it was then that you said well you knew about Goniwe's death. --- No, no that is something they brought up.

Well this is what your statement says. Your statement says: "Uit vrees vir die dood het ek toe gelieg en gesê dat ek 'n lid van Azapo is en dat ek kennis dra van Goniwe se dood." --- You see all those are things they brought up like, yes, this Azapo has been killing people for some time and you must be one of them. (10

Let us just go back to what your statement says. Your statement says: "Uit vrees vir die dood het ek toe gelieg en gesê dat ek 'n lid van Azapo is en dat ek kennis dra van Goniwe se dood." Is that correct? Is that correctly put in your statement? --- No the ... (INTERVENES)

COURT: Is this now at Christie's house?

MR CHASKALSON: No that is A81, that is the statement to the police. --- No. The one who wrote the statement might have made a mistake. You see these people brought this up in this way. Now if as you admit you are a member of Azapo then you should know how Goniwe and others died. (20

You say the one who wrote down your statement made a mistake?

COURT: I think you must be fair to this gentleman sir. Just identify the statement you refer to every time.

MR CHASKALSON: Ja, sorry. It is EXHIBIT A81.

COURT: It could be very confusing.

MR CHASKALSON: This is the statement to the police that I am reading from. I am reading to you now from your statement to the police and the passage I read you which you said the (30

person / ....

person who wrote it down must have made a mistake, is a passage from the statement to the police. Let me read it to you again. "Uit vrees vir die dood het ek toe gelieg en gesê dat ek 'n lid van Azapo is en dat ek kennis dra van Goniwe se dood." --- No I do not recall saying it as it is stated in the paragraph.

All right, well do you say that you said something different to the police? --- Well I could say the one who wrote the statement down as I spoke made a mistake by not listening attentively or well to what I was saying. (10

Well what did you say that the man who wrote down your statement did not record?

COURT: Mr Interpreter make clear that he realises that this is in regard to the police statement now. --- Yes I do realise it Your Worship. This was my saying that the people were really pressing me on to this issue of telling me Azapo has killed many of us, we found a lot of corpses lying around and we should think that you are one of them, you are Azapo and should you not tell us the truth then we are going to kill you. (20

MR CHASKALSON: Yes. You do say in your statement that you were threatened with death because they thought that you were a member of Azapo because your statement says: "Hulle het gedreig om my dood te maak en aangehou dat ek 'n lid van Azapo moet wees." Is that correct? --- Yes.

And then your statement goes on to say immediately after that: "Uit vrees vir die dood het ek toe gelieg en gesê dat ek 'n lid van Azapo is en dat ek kennis dra van Goniwe se dood." --- Now tell me, do you read from my statement or is it something that you just thought up yourself that I was supposed to have said? These people were pressing me to

say / .... (30

say that I am a member of Azapo because I am a stranger and no-one knew me there?

Will it make a difference to your answer the way I respond to your question? --- You see the way you read and tell me about the statement has a difficulty in it for me because I know nothing of my bringing up my being a member of Azapo and having knowledge of Goniwe's death.

Well I am reading to you what is in your statement to the police, your first statement to the police. It reads as follows: "Hulle het gedreig om my dood te maak." Let me go back a bit. "Die Comrades wou my nie glo nie en by my aangedring om die waarheid te praat." Is that the truth? --- Yes I could say so. (10)

Well did that mean that you agreed that that is the truth, or is it not the truth? --- You know the statement to this white lady is the one I do recall in fact here and there. There are a lot of things I do not remember, so much that I am shocked to hear them being read from the statement because at the time of the making of the statement I was 'mixed up.' (20)

COURT: What? --- I quote. It is the exact words Your Worship.

Oh quote, unquote. Ja, mixed up. Very well.

MR CHASKALSON: Please I am not asking you questions about the statement you made to the white lady. Not now. Do you understand that?

COURT: Perhaps I could clear this up. Mr Interpreter explain to Mr Ndyawe that this gentleman is now asking him questions in relation to the statement he had made to Captain Jonker. That is the first statement to the police. --- Yes but I do not even know that statement. (30)

MR CHASKALSON: All right. --- What I mean is I cannot make

out which statement is which because the interpreter has all the papers with him.

Do you need to have each statement in front of you to remember what you said to which person? --- No that is not what I meant.

All right. Now Mr Ndyawe are you able to speak a little louder than you are speaking at the moment so that we can hear you when you speak? --- Well I am a natural soft speaker. I cannot speak louder and I cannot help it.

Are you not able to speak any louder than you are speaking now Mr Ndyawe? --- At least there is an interpreter sitting next to me and he can hear what I am saying. (10

I have asked you to speak louder so that we can hear you as well. Will you do that? --- O.k.

Right. Now then let me go back to where I was. I was reading to you from your first statement to the police. Right. I start again from the passage which I was reading from that statement. "Die Comrades wou my nie glo nie en by my aangedring om die waarheid te praat." Is that correct? --- Yes. (20

"Hulle het gedreig om my dood te maak en aangehou dat ek 'n lid van Azapo moet wees." Is that correct? --- Yes, yes they said if I did not say I was a member of Azapo they would kill me.

COURT: Was that now the Comrades? --- Not that I said I brought the membership of Azapo up. They brought it up. Yes I could say those were the Comrades because that is what they said.

MR CHASKALSON: And then your statement goes on after saying that they said that they had threatened to kill you because you must be a member of Azapo and then you go on to say in your statement: "Uit vrees vir die dood het ek toe gelieg (30

en gesê dat ek 'n lid van Azapo is en dat ek kennis dra van Goniwe se dood." Is that correct or? --- There is something I must set right here. Now the very fact that I should have brought Goniwe up is where my difficulty lies in this whole statement because how could I have mentioned him when I do not even know those people? I am nothing, even in my area where I stay.

Do you know who Mr Goniwe is? --- I do not know him.

Have you ever heard of him before you went to Port Alfred?

--- Yes Goniwe and others' affair was the talk of the town here in the townships. (1)

COURT: Mr Chaskalson would it upset you too much if the Court adjourns now?

MR CHASKALSON: No.

COURT ADJOURNS - COURT RESUMES

MZONDESI CHRISTOPHER NDYAWA: (still under oath)

EXAMINATION BY MR CHASKALSON

COURT: Yes Mr Chaskalson?

MR CHASKALSON: Thank you. Mr Ndyawe you told us, I think, that the killing of Mr Goniwe was the talk of the townships. --- Yes that is correct. (2)

It was a subject of much discussion in the townships as to what had happened. --- Well there was talk about it because he was someone with the UDF and that is how it went around.

Yes and, Mr Ndyawe can you please try and talk a little louder so that the people can hear you, so that we can hear you here?

--- Yes I shall try.

And it was also common knowledge in Port Elizabeth at that time that there was a conflict between the Azapo and the UDF.

--- Yes that is correct. (3)

There is a place called the Dan Qeque Stadium? --- Yes sir.

Now has that in any way been associated with the clash between

Azapo / ....



Azapo and the UDF? --- No I have no knowledge in that regard because I am never there, like when there are meetings or funerals held there.

But I am not for a moment suggesting you were there. I am asking you whether you had heard about something associated with that stadium and the clash. --- No I did not.

Was it not well known that there had been a clash at that stadium? Was there not talk in the townships about it? --- No I did not hear of it.

And was it also - did you know of the Reverend Magina? --- (1  
No I only heard talk of him but I have not seen him personally.

Yes I am not saying that you have seen him personally but you had heard talk about him. --- Yes I have heard of him.

Yes and that - while you were in Port Elizabeth before you left it to escape from the Comrades. --- Yes sir.

And had you heard that he used to - that there were a lot of young people staying at his house and he used to issue statements to the newspapers? --- No I did not hear or take notice of that because in fact I did not have much regard for things like Magina and others. (20

Do you not have friends amongst the Comrades? I am sorry. --- When outside I am only a criminal and was busy making money my way.

Yes. Did you not have friends amongst the Comrades? --- Yes there are but they are not my friends because I have none. They are people with whom I grew up and normally talk to.

Yes and when you talk to them you hear what is being said about what is going on in the township. --- Yes I do hear when they talk.

And what did you hear about the Reverend Magina? --- No (30  
nothing besides - excuse me. I shall repeat. No nothing besides

just / ....

just hearing that he was a member of Azapo but I did not hear that too much.

Now you said you have heard that the Reverend Magina was a member of Azapo. Have you heard he was supposed to be a leader of Azapo? --- Yes there was talk of it.

Yes. --- Rumours about that.

Yes. Now - and were there also rumours that there were young people who used to stay with him at his house, a lot of young people, a hundred or so young people at his house? --- Those are some of the things I do not know. (1)

And you knew about that there were petrol bombs being made at the time? --- Yes those are some of the rumours I heard.

And houses were being attacked with petrol bombs. --- Yes that is correct.

How do you make a petrol bomb? --- Well I do not have first knowledge of that but when those friends that I do meet talk about this thing they say one mixes petrol and sand.

So you have heard discussions about how petrol bombs are made? --- Yes, yes I just heard discussion about them.

Yes and you listened to that discussion. --- Yes I just listen but not seriously because I am far from all that. (20)

Yes but you listen well enough to know if someone asks you how to make a petrol bomb you could tell them what to do. --- Yes.

And you had heard also of a policeman in Port Elizabeth called Butler Tungata? --- Yes that is correct.

And you had also heard that - you told us that you have heard that it was the talk of the townships the killings of Goniwe and the others. --- Yes I could say so because I heard rumours about it. (30)

And before that there was also some talk of the townships about / ....

about the PEBCO leaders who had disappeared. --- Yes I just heard about that like these others.

Yes and some people in the township were saying that the people who had killed Goniwe were the same people who had killed the PEBCO people. --- No I did not hear that.

Was there not gossip about that in Port Elizabeth? --- That might be but I did not hear of it.

Now in the statement - I want now to talk to you about the statement that you made to the white woman. Do you remember that statement? --- Yes I do. (1)

Yes. Now first of all there are - in that statement you mention names of people whom you say were in groups which launched petrol bomb attacks. --- Yes.

Did you mention names to the white woman? --- Yes.

You mentioned the name Mzukisi Mazwe. --- Yes that could be but as I was doing my utmost to defend myself I just called up imaginary names and I do not even recall what those names are anymore.

So you made up the names that appeared in the statement? --- Correct. (20)

They were not the names of real people? --- No sir.

And one of the names that you mention in your statement is - you mentioned a name and an address. The address you gave was 18 Stokwe Street, New Brighton. Did you make that address up or is that a real address? --- Yes that is - excuse me.

I shall repeat. Yes that is so. I gave the address for credibility as I was trying to save my skin.

This was to the white woman who was taking the statement? --- Yes.

You thought it would be a good thing to give an address to make your statement sound a bit better? --- No that it should (30)

have / ....

have credibility to them.

Yes. In other words if you gave them an address they would believe your statement. --- Yes that is how I thought.

And you also gave a name of the person staying at that address, the name called Monde. --- Correct.

Did you make that name up as well? --- Correct.

Do you know that the people who live at 18 Stokwe Street have a nephew called Monde? --- No I do not know that. That name I just called up.

You were not calling up a real name to give credibility to your statement? You just made up a name and it happened to be the name of somebody whose relatives lived at that house? --- That could have been a coincidence. I just gave them the name and an address to give credibility to what I was telling them. (1

And you introduced Magina to give credibility? --- Yes you see as we started off with them saying I was a member of Azapo and my eventually admitting to that, they mentioned Magina and well, I had heard about him and I decided well I should admit that as well. (2

And you mentioned Butler Tungata's name to give credibility to your statement? --- Correct.

And you made up names to give credibility to your statement? --- Yes that is correct.

Now you had - had you heard anything about a reward for giving information, that a reward was being offered for information concerning the Goniwe murders? --- No I did not. I was just mentioning this to give credibility to my statement to those people.

Had you heard about the reward? --- No I had not heard it. (3

Did you just make it up then? --- Yes I just made it up.

But / ....

But was that not a silly thing to make up? --- No that was not silly.

Well if there had not been a reward everybody would know that there was not a reward. --- Yes that is correct.

Well then was it not a silly thing to make up in the statement that there was to be a reward? --- Well the statement I made there was just, how can I say now, a babbling or just to save my skin from those people.

Now you also mentioned in your statement a man from Cradock called Mkululi. --- That could be. I could have said that but (10  
I do not recall it now because I was then "unconscious" when I said all this.

And is there such a person from Cradock that you know? --- No there is not and I have never been there.

Do you know that there is in fact someone called Mkululi who left Cradock and has gone to Port Elizabeth? --- No I do not know.

Was that just another coincidence? --- Yes that could also be coincidental that I mentioned the name and it was for someone real who stayed there. (20

Yes you see Mr Ndyawe I do not really know what your purpose in all this was but you have mixed together truths and some facts which are true and some facts which are false. --- Well that is my bad luck if some of these are not fictional but these are some of the things I just called up.

And you somehow or other arrived in Port Alfred which you say you have never been to before and you knock on the door of an activist. --- Correct.

And then you tell all this, give this detailed account about bringing in real names and fictitious names. --- Correct. (30

And then you go off to Grahamstown and you repeat the story.

--- I / ....

--- I do remember that.

And you were taken to a house where there were a lot of people in Grahamstown. --- Yes.

And you were told that one of the people there was a member of Parliament. --- Correct.

Did you remember that man? --- No I would not recognise him - excuse me.

Do you remember that he was fluent in Xhosa and spoke to you in Xhosa? --- Yes.

And so you were now in this house with these - with a lot of people besides the Comrades now including a member of Parliament --- Yes. (10

Why did you not say to the man this is not true? --- I was so afraid of them that I neither trusted him nor that he was a member of Parliament. I only wanted to get free of them.

Yes. Yes. You see Mr Ndyawe I also understand from what I have been told that there is a lot else in your story that is not true. --- Yes.

That when you first arrived in Port Alfred you actually said that you were a member of COSAS who was running away, I think from Grahamstown. --- No I do not remember that and there are a lot of things I do not know anymore that I am supposed to have said when I was there then because I was hassled then. (20

And that you were asked questions about the COSAS members in Grahamstown and you could not answer them properly. --- Yes.

Do you remember that now or not? --- No I do not remember it anymore. As I said before there are quite a number of things I do not remember anymore.

Yes, yes, you make up things all the time. You cannot remember what you have made up and what you have not made up. --- Yes (30  
I could say that is the position.

And / ....

And that you then when you were questioned about the people in Grahamstown and you could not answer the questions that you then said well the truth is that you are a member of Azapo and that you are running away from Port Elizabeth and that is how all this started? --- No I deny that. I do not remember saying it.

You see you also say that you - I think you now say or you told us today that the explanation you gave was that you had escaped from gaol. --- Yes sir.

Now did you think that that was a good introduction to a house you had never been to before if you are looking for some place to stay, to knock on the door and say I am a person who has escaped from gaol, will you please take me in? --- Yes I do remember that. (1

But why is it, you think a stranger is likely to take into their house a prisoner who has escaped from gaol? Is that a good introduction? --- Yes I thought so as I had fled from where I had been in a spot.

Did they ask you what you had gone to gaol for? --- Excuse me, where the Comrades were looking for me. It seems they did but I do not remember all they said. In fact I do remember here and there. (2

But you said that you - did you tell them that you were a thief who had escaped from gaol? --- No it could be I said so but I do not remember it but whatever I said was not believed.

But I want to know why you should make up such a story you see. That is what I do not understand. Why should you make up a story and say that you are a person who has escaped from gaol? How was that going to help you with a stranger in Port Alfred? --- No I thought that it might have been help for me when I put it that way. (3

I see. You say you had broken into the house of a Comrade. What was the name of the Comrade whose house you had broken into? --- I do not know anymore.

Did you ever know? --- In fact - yes, excuse me. In fact that was also a false accusation.

I see. So you in fact had not broken into any Comrade's house? --- No sir.

You were being falsely accused of having broken into a Comrade's house? --- Yes they were saying that I had broken in.

And who had said that to you? --- No I only heard talk of it and when I got home I was told that the Comrades were looking for me because I had done this and that. (10

All right. Now you see in your statement to the police I want to read you something from your statement to the police, your first statement to the police. You said: "Ek het in die begin van daardie maand ..." and you are talking of July 1985: "... by een van die Comrades se huise ingebreek." Did you say that to the police? --- I shall repeat it. Yes I did say that even though I did not mention that it was a false accusation because it had already spread in that way. (20

I do not understand your answer because the police had written down that you said "Ek het in die begin van daardie maand by een van die Comrades se huise ingebreek." Is that false? --- Yes I do remember my saying so to the police but truth speaking that was a false accusation even though I told it to the police as it is written in my statement.

Why did you make these false statements to the police when the truth would have been good enough? --- Well it just happened that I gave my statement in that way to the police albeit a false accusation of something I had not done. (30

When you left Port Alfred, where did you go to? --- I was

taken / ....



taken to Grahamstown.

Yes and when you left Grahamstown where did you go to? ---  
I escaped to Port Elizabeth and went to Soweto.

Where you had come from in the first instance? --- No I  
had not come from there. That is where I was hiding away that  
is in Soweto.

Were you not afraid that the Comrades from whom you had  
fled from Port Elizabeth would find you now that you have come  
back? --- Well I was sure and believed in one thing. I was  
unknown where I was because Soweto is a big place. (1

All right well Mr Ndyawe I do not want to keep asking you  
questions. I do not know why you have told so many false stories  
to so many different people. --- Yes.

Nobody can know now what is true and what is false in what  
you are telling us. --- I am listening.

It is all I want to put to you Mr Ndyawe that nobody can  
really believe anything you say anymore because you have told  
so many different stories to so many different people that no-one  
can know what sentence in your story is true and what is false.  
--- Is that in respect of the statement made in Grahamstown? (2

All your statements Mr Ndyawe.

COURT: Would you like an answer on the question Mr Chaskalson?

MR CHASKALSON: I do not think so.

COURT: Thank you.

MR CHASKALSON: I think my attitude is reasonably clear.

COURT: No it is just, I thought it was a question there.

MR CHASKALSON: There is no purpose anymore in going through  
this sentence by sentence Your Worship. It is not a trial ...

(INTERVENES)

COURT: I appreciate that. (3

MR CHASKALSON: Where I have to put a version.

COURT / ....

COURT: Yes, thank you. Mr Moosa and Mr Nepgen have you agreed who is to question next? Should you not, cannot come to an agreement I will make a directive on that issue.

MR MOOSA: I do not mind. I really do not mind.

COURT: Very well. Mr Nepgen?

EXAMINATION BY MR NEPGEN

Mr Ndyawe in your second statement to the police in the second paragraph you say that you are unable to sign your name.

--- Yes sir.

Is that correct that you are unable to sign your name? --- (1)  
Yes.

Can you write? --- No sir.

Can you read? --- Read? No.

When you were taken to Grahamstown from Port Alfred and you made the statement which you have now said is false, was an interpreter used? --- Yes - no I do not remember. I do not remember but I should think this white member of Parliament spoke in Xhosa.

Or did you speak in English? --- No, Xhosa.

Can you remember whether there was any black man there who (20)  
was interpreting? --- That could be but as I said some of the things that happened then I have forgotten and I recall them to memory when they are mentioned.

Thank you.

COURT: Mr Moosa have you got any questions?

MR MOOSA: Yes Your Honour.

EXAMINATION BY MR MOOSA

Mr Ndyawe is it correct that in 1985 rumours were rife throughout Zwide, New Brighton and Kwazakele, all the townships of Port Elizabeth and Grahamstown and Port Alfred about a clash (30)  
between Azapo and the UDF? --- Yes I could say so.

And / ....

And that when the PEBCO leaders disappeared that various theories were quoted in households throughout the township, rumours in other words abounded again. --- Yes well I just heard of it.

You heard many of those rumours, is that right? --- Yes.

Similarly when Goniwe and three others were killed rumours again abounded about how that happened. --- Correct.

And you as a criminal knew also that Azapo members were staying at the Reverend Maqina's house. Is that right? --- Yes that is correct. (10

Now I understand perfectly that you say that the statement you made to Mrs Christie is not true, you did not say those things.

COURT: That is not precisely correct Mr Moosa.

MR MOOSA: Sorry Your Worship.

COURT: Actually what he says is that - as far as I understand him most of it is what he actually did say.

MR MOOSA: That is right.

COURT: But he says that it was false.

MR MOOSA: Sorry Your Worship. Let me put it more precisely. (20  
I understand perfectly that most of what you told Mrs Christie you actually made up. --- Yes.

And I trust you made that up from various stories that you had heard in the townships. --- Correct.

Now please understand that I know that this statement that is before this Court is something you have made up but it is before this Court and there are many untruths in it. For instance, would it surprise you to know that the Reverend Maqina was never a member of Azapo? --- But nevertheless there was talk of him being someone of distinction in Azapo. (30

COURT: Sure, you only say that from hearsay? --- That is how  
the / ....

the rumours went.

MR MOOSA: In fact the truth is most of what is in your statement is hearsay. --- Yes it is hearsay, things I have heard elsewhere.

I have also heard that you are very good at making up names. You see all the names you mentioned - you will not know which paragraph but paragraph 11 anyway of the draft affidavits were never members of Azapo and are unknown to Azapo. --- Well I could say so because those are names I made up to give credibility to the statement I made in Grahamstown.

You are also unknown to the Zwide unit or the Port Elizabeth (10 branch of Azapo. --- No.

COURT: No what? --- I am not known.

MR MOOSA: You are not in Azapo, is that what I am saying? --- No I am not.

Similarly there was never a Hippo which stopped at Reverend Magina's house in Masangwana Street and police who said do not be "dom", there is money for you, we must finish the UDF? --- That was all false.

I am glad you say it was all false. We also say in fact it was all false. One more thing. Do you know that Azapo is (20 vehemently opposed to any collaboration at all with the police? --- Just as you say, that is so.

Thank you.

COURT: You seem to know a lot about Azapo. Do you know anything about Azapo? --- No Your Worship.

Thank you. Any re-examination by any of the parties perhaps?

NO RE-EXAMINATION.

COURT: You can stand down, thank you.

NO FURTHER QUESTIONS

MR HODGEN: The next witness that the Court has indicated should (30 be called is the witness Sarah Helen Christie. Can you call

Sarah / ....



Sarah Helen Christie please?

SARAH HELEN CHRISTIE: d.s.s.

EXAMINATION BY MR CHASKALSON

Mrs Christie I understand that you have made a statement in connection with this matter. Have you got a copy of that statement with you? --- Yes I do.

Can you produce it? --- It is actually unsigned, sorry.

All right I will give you - this appears to be the copy that was handed in I think by the Legal Resources Centre originally

COURT: Which one is that, an affidavit or what? (1

MR CHASKALSON: This is the affidavit by Mrs Christie.

COURT: Oh I see.

MR CHASKALSON: If I can show you what appears to be the copy that was handed in to the Court some time ago.

COURT: It is A80.

MR CHASKALSON: A80 Your Worship yes.

COURT: Yes? --- Yes this is the.

MR CHASKALSON: Is this the copy that was handed in? --- Yes well I handed the original to the Legal Resources Centre. This is a copy thereof. (20

Yes. Is this the statement that you made? --- Yes.

It has an annexure marked "Draft Affidavit by Mzondesi Christopher Ndyawe". Is that correct? --- Yes.

I wonder if you would read the statement into the record that you have made with the leave of the Court?

COURT: Yes.

THE WITNESS READS HER STATEMENT INTO THE RECORD (EXHIBIT A80)

MR CHASKALSON: Was this then attested to in Cape Town on 25 January 1988? --- Yes.

COURT: Do you confirm the contents thereof? --- Yes I do. (30

MR CHASKALSON: Did you also attach the draft affidavit to your affidavit / ....

affidavit? Is it still attached there? --- Yes I did.

I see it is not actually signed but it seems to have some sort of mark on the corners. Is that your pen mark on the corner of the statement, the draft affidavit from Ndyawe? --- Yes well it is an annexure to mine so it is signed in the same way that mine is signed.

Oh so you have initialled each page. --- Yes.

We have had the statement read out. I do not know if Your Worship would like it to be re-read into the record?

COURT: Have you still got any knowledge of the contents thereof? (10)

I would just like you to confirm whether that is the correct statement taken by you or would you like a chance to read through it? You see it was not confirmed or signed by Mr Ndyawe.

MR CHASKALSON: Yes, yes.

COURT: In other words to have it properly before the Court.

MR CHASKALSON: Yes. --- No this is the statement that I typed out.

COURT: Very well. No it is not necessary to be read out.

MR CHASKALSON: Read out again. And you confirm that this is the statement then that you recorded from the interview that you had with Mr Ndyawe? --- Yes. (20)

Now there was one other matter. In your affidavit is mentioned the name Mr Bingo. Notes were handed in to the police. We have not received the original notes but we have a copy here that is apparently - came from yourself. --- Well if I could have a look at it.

Can I show it to you? Your Worship if I can show this. The statement is written at the top "Statement from Mazwi Lancelot Bingo. 14 July 1985."

COURT: Is that a true reflection of the notes taken by you or do you need some time to read through it properly? --- I will / .... (30)

will just - yes it is.

MR CHASKALSON: I wonder if you could also read your notes into the record as this paper has not yet come before the Court.

COURT: Yes it will be marked A80(2).

MR CHASKALSON: Thank you Your Worship. --- You see I think I ought to preface reading this by simply saying although it says "Statement from Mazwi Lancelot Bingo" it will appear from reading it that it is more by way of statement and comment by me which will appear.

THE WITNESS READS HER NOTES INTO THE RECORD (EXHIBIT A80(2)) (10

MR CHASKALSON: Mrs Christie does this document A80(2) reflect your notes of what he told you and your comments on what he told you? --- Yes it does.

Do you hand in and confirm this photocopy? --- Yes.

You have not any idea where the original is? --- I cannot remember. I really cannot remember anymore where it is.

Your Worship I think this might be a suitable time to adjourn or whether the Court?

COURT: Yes. So this copy is the best evidence at the moment?

MR CHASKALSON: This copy is the best evidence available. (20

COURT: Very well. It will be accepted as such.

COURT ADJOURNS - COURT RESUMES

SARAH HELEN CHRISTIE: (still under oath)

EXAMINATION BY MR CHASKALSON

As Your Worship pleases. Mrs Christie we have now put in your statement and the two annexures, the one by - the statement you took from Mr Ndyawe and the notes you took relating to Mr Bingo. I just want to check a few points with you which seem to arise from the statements. You obviously had doubts about the veracity of Bingo I take it from your notes. --- Yes I did. (30

What was your impression of Mr Ndyawe? --- Mr Ndyawe or

Mr / ....

Mr Bingo?

Mr Ndyawe. --- Impressions in what?

In other words did you think he was also lying or was telling you the truth when he made his affidavit? --- No I believed he was telling the truth. I had some difficulties if I can just comment on that. I had some difficulties in assessing whether he was telling the truth in part because I was not familiar with the circumstances surrounding the facts that he was describing

I see. --- I did not know the area, I did not know the people, so the only things that I could as a lay person question him (10 on to try and perhaps elicit some internal inconsistencies were for instance I questioned him quite closely about how he got away. You know I asked him how much money he had, where had he gone from, how much did the ticket cost and so on, questions such as that.

Yes. --- And he spoke quite freely and in a very relaxed fashion.

Who were the people who brought Mr Ndyawe to you? Were they linked with any organisation or anything like that? --- They did not bring him to me. I was invited to attend a meeting. (20

Oh yes. --- And when I got there he was already there.

Yes. Do you not know who brought him to that meeting? --- I heard that Gugile Nkwinti(?) would bring him to the meeting. I then left and came back later and when I got there he was already there. People were already talking.

Yes. Was Nkwinti(?) party to any organisation or anything? --- Yes. Yes.

What organisation? --- UDF.

UDF. And Mr Bingo, how did he come to see you? --- Again he did not come to see me. I went to a meeting. (30

You went. --- Yes.

And / ....



And who brought Mr Bingo? I do not think it is clear. ---  
Phile Nkayi.

Is he linked with any organisation? --- Also UDF.

I see. Just one other point that worried me slightly looking at the papers. Was there any reason not to warn the police of the presence of Mr Ndyawe? --- Any reason not to warn the police?

Yes. --- That Mr Ndyawe was?

Had information. For example the investigating team in connection with the murder of the deceased. --- Oh there was (10  
- there was - look, in the circumstances given that the allegation was that this had been a clandestine political killing involving the police yes, I think there was very good reason not to report it to the police at that time.

I see. So you felt the investigating team might - were also police. Is that the reason? --- Yes.

Yes I see. --- I felt very strongly that without corroboration the story was very much in the air. I and you know many of the people who had interviewed Ndyawe were not necessarily people who had close knowledge of Port Elizabeth and the topography (20  
of the area and so on.

Yes. --- And who could do some assessment. It also occurred to me that given that Ndyawe had come to this meeting from the UDF that the UDF might have had some very good interests in Ndyawe telling that story and for that reason as well I discussed it closely with E K Moorcroft, thought it ought to have been corroborated.

Yes. There were no efforts to trace Mr Ndyawe when he went missing I take it. --- I have no idea. I have no knowledge of any. (30

Yes. Your Worship no further questions.

COURT: Yes Mr Chaskalson.

EXAMINATION BY MR CHASKALSON

Mrs Christie I would like to just fill in a little bit and ask you some questions which arise from other affidavits. Now I would like to deal first with Mr Bingo. Can you tell me to begin with, I would just like to get the picture clear, who was in the house? Was it at a house where you saw Mr Bingo? --- Yes.

Who was in the house at the time Mr Bingo was seen? --- Priscilla Hall whose house it was. (10

Is she a Grahamstown person then? --- Yes she has lived there for many years and Gugile Nkayi was there from time to time. He came in and left, was not there all the time. Another person was Anne Burrows who also lived in Grahamstown at that time and who was also a member of Black Sash. She was there only briefly. Again I cannot recall whether she came in once and left or came in and left on more than one occasion. I cannot remember that but for most of the time Priscilla Hall and I were alone with Mr Bingo in her dining room.

Yes. Now were you there when Mr Bingo arrived? --- I honestly - I cannot remember whether he was brought in or I arrived and he was there. I cannot remember. I cannot remember. (20

Well can I read you something from an affidavit and ask for your comment on it? If I read in Afrikaans will you be able to follow me? --- Yes.

It says - he is telling about being taken from a house to a house in Grahamstown where questions were put to him and he says: "Van bogenoemde huis is ek geneem na 'n witvrou se huis iewers in Grahamstad. Daar gearriveer was ek versoek om die lap van my oë af te haal. Ek het toe twee wit vroue voor my gesien. Beide het Engels gepraat. Hulle het versoek dat my

hande / .... (30

hande losgemaak moes word." Now can I pause for a moment?

Do you have any comment on the statement that he was actually blindfolded and bound as it were at the house? --- Yes it is simply not true at all. He was not blindfolded nor were his hands tied nor could I see that there were any indication that he had been tied or hurt.

Yes. He then says - incidentally Mrs Christie in your statement you say that you are an articled clerk. What is your present situation? --- I am admitted as an attorney now.

An attorney. And I think that you told us that or it appeared<sup>(10</sup> from your statement that you were at the time a lecturer at Rhodes University. --- Yes.

What were you lecturing in? --- In the Law Department.

And how long have you held that position? --- By then four years.

Four years. And did anything - I would really like to know whether anything occurred in your presence which indicated to you in any way that the statement was being given under duress, Mr Bingo's statement? --- Not at all. Not at all. I mean it was a stressful day and these were stressful circumstances but<sup>(20</sup> I can remember that we smoked a lot of cigarettes and we ate a lot of oranges. There were piles of orange peels all over the dining room table while I took notes and Mr Bingo chatted in broken English for two or three hours and when I left, I left him with Priscilla Hall and left her there. You know he was on his own. There was no question that he was being held captive or being compelled to make a statement or anything of that kind.

Yes. There was - he goes on in his statement to say:- well he said that - he referred to the two white women who were in front of him and he said: "Hulle het versoek dat my hande losgemaak<sup>(30</sup> moes word." Did anything like that occur in your presence?

--- "Hulle / ....

--- "Hulle het versoek dat my hande losgemaak moet word"?

Yes they asked for my hands to be untied. Did anything like that happen in your presence? --- No. I mean that suggests that there was somebody else there.

Yes he says there were two white women. --- No but if he says "hulle het gevra" - they asked that my hands be untied.

Oh you mean that they were speaking to someone else? --- Yes, no, there was not anybody else there.

Right. Now then he says that - he also says that "een van die wit vrouens" - "daar het een van die wit vrouens foto's van my gesig geneem." --- I had actually forgotten that but now that you say that I recall Anne Burrows taking photographs, one or two. I cannot remember how many. (10

And then it says: "Na die foto's se neem is my hande weer vasgemaak en is ek ook weer geblinddoek." --- No, not true.

Not true. Now I would like to remind you just to get the dates clear, you have got a date on your statement that it was taken from - a statement from - it is headed "Statement from Mazwi Lancelot Bingo. 14 July 1985." --- It was a Sunday.

It was a Sunday. Was that the date upon which the statement was taken? --- If the 14th was a Sunday yes. (20

Ja, all right. We know from evidence in this case that Mr Goniwe's dead body was found at the beginning of July. Are you able to tell us when you saw Mr Bingo, whether it was after the death of Mr Goniwe or before the death of Mr Goniwe? --- It was about a fortnight afterwards.

Yes. His statement then continues: "Die wit vrouens het my baie vrae gevra, onder andere wel waar ek in Port Elizabeth woon." --- Yes.

Would you have asked him where he lived in Port Elizabeth? --- Yes. (30

"Waar ek tans in Grahamstad woon". Do you know whether you asked that as a question? --- No I do not think so. I do not think so. I am not quite sure about it.

And then the next thing is: "Waar Goniwe is". Did you ask him where is Goniwe? --- No. No. I asked him what he knew about his death.

Would you have - he says: "Ek het gesê dat ek nie weet waar Goniwe is nie". Now can you give us some comment on that statement in view of the fact that Mr Goniwe had been dead for about two weeks then? --- No he did not say that. He did not say he did not know where he was but what he did say is, as I recall as far as I am able, that he did not have any direct knowledge of what has happened to Goniwe. (10

Yes. --- And the others.

All right. Now approximately how long were you with Mr Bingo? --- It is hard to put a time on it. Perhaps two to three hours. It was a long time.

During that period was he constrained in any way in your presence? --- No.

Were there - I think you mentioned, you have told us the names of yourself and I think you mentioned Priscilla Hall is it? --- Yes. (20

Now I think you have told us for most of the time the two of you were together with Mr Bingo. --- Yes.

Did he ever suggest to you during that period - I want to know whether there - during that period whether he attempted to leave or he was prevented from leaving the house at all during that period? --- No. I remember at one point he said he wanted to go to the toilet and Mrs Hall told him where it was and he then came back to the dining room. (30

Now then he has also made an affidavit in which he denies

having / ....

having made a statement to you. He said: "Ek het ontken ..."  
Yes I had better read it to you. He says: "Op 1988/3/1 het  
Kaptein Jonker 'n verklaring aan my voorgelees wat ek na bewering  
aan 'n sekere wit vrou Christie sou gemaak het te Grahamstad.  
Ek ontken dat ek so 'n verklaring skriftelik of mondelings gemaak  
het. Dit is 'n klomp snert." Now I want you to assume for the  
moment that Captain Jonker read out to him these notes which  
you have read out to us. What do you say to what is contained  
in Mr Bingo's statement? --- Well look in the sense that it  
was not a formal statement which I recorded intending - he intending<sup>(10)</sup>  
that he would sign it thereafter. He did not make a statement  
in that sense but the words that I wrote down were more - as  
best I could a transcript of what he said, the oral statement  
that he made.

The oral statement that he made. Would he - was it - I  
mean what I want to know is did you make notes in his presence?  
--- Yes.

Or did you make notes after he had left? --- No I made notes  
in his presence in shorthand.

Would he have seen you making the notes? --- Oh yes. On<sup>(20)</sup>  
A4 paper, large A4 paper that I was writing on.

Yes. You said you were making the notes in shorthand. ---  
Yes, but my shorthand is very poor so unless I transcribed it more or  
less while the events were still fresh in my mind, it I had  
left it for a month or let alone a year I doubt that I would  
have been able to read it back.

Do you know when you did transcribe this? --- I transcribed  
it the same day.

The same day. --- Yes.

And did you type it out when you? --- Yes very quickly as<sup>(30)</sup>  
you see the incompetent typing.

Yes / ....

Yes. These names in these notes of Mr Bingo that you say of your discussions with Mr Bingo which you recorded, a whole lot of names are mentioned. Those names, did they - well let me ask you, names like Zanagono Kate<sup>?</sup>, had you ever heard that name before? --- No. No.

Stanley Matumela? Had you heard that name before? --- No.

Wandile Jantjie? --- No.

These names which appear in his statement, were they of people who were said to be in groups to which he had belonged?

--- As I understood him, yes.

(10)

Yes. Did you understand any of the - were any of those names names which you knew of before? --- No. The only names that I can remember that meant anything to me was the name Sipho Hashe, because that is the same name as one of the PEBCO leaders who had gone missing earlier in the year, the name Maqina and I do not know if the name of Butler Tungata comes up in Bingo's statement or in Ndyawe's statement but that name was familiar to me.

Right. --- There might be others but on balance I do not think the names meant anything to me at all.

(20)

Well do I understand you then to be saying that certainly most of the names were names which you had never heard before? --- Yes and I may not have - you know at times I said could you spell that for me, at times I just simply wrote them down and probably got the spelling - you know not a proper reflection of the spelling.

Now looking at your notes they consist of some eight pages and the question of Goniwe is mentioned for the first time on page 7. Are you able to tell us whether there was any sequence to your notes? Would Goniwe have been discussed before then or would it have been discussed for the first time sequentially

(30)

where / ....

where it appears on page 7? --- The notes as I recall them were transcribed in the order in which they were taken.

Would this then have been the time in which the issue of Goniwe arose, towards the end of the discussions? --- I cannot be certain about that.

Yes. And it is headed "Cradock possible connection" and then you have a comment of your own saying how you deliberately tried not to lead him and prefaced the remarks by saying something like "Are people ever involved from out of town or from smaller country towns", something like that. Now can you explain that to us? --- Well I asked him, you know, you have come from Port Elizabeth to Grahamstown. Have you come to make contact with Azapo people in Grahamstown, o.k.? Do you move and link with Azapo people in other communities. You know that was as I can remember. It was nearly four years ago. (10)

Can you tell us - do you have your notes in front of you? --- Yes.

COURT: Is that the shorthand notes now? --- No I do not have the shorthand notes any longer.

MR CHASKALSON: Perhaps I should not call them the notes. These are the - it is called the statement, the ... (INTERVENES) --- Yes I have it here. (20)

It is - I think it was given an exhibit number. I think it is EXHIBIT - is that 80(2)? It will be EXHIBIT ... (INTERVENES)

COURT: Yes. Bracket 2.

MR CHASKALSON: 80(2). Can you tell us whether there was any discussion about Goniwe and the others other than that recorded at the bottom of page 7 and the top of page 8? --- I cannot remember.

You cannot? --- I cannot remember. (30)

Was the issue of Goniwe and the others the focus of the discussion or was the discussion focussed somewhere else? ---



The focus or the purpose?

The focus. --- The focus of the discussion was really on simply what he wanted to tell us about Azapo and Port Elizabeth and out of that, given that he seemed to us to know such a lot perhaps he also knew something about the Goniwe disappearances.

I see. --- Because when I was asked to go to that meeting Anne Burrows had telephoned me at home and said there is somebody else who wants to make a statement, can you go to Priscilla's house and so I went and we said well what have you got to say and then he began to talk. (10

All right. Now I would like to leave that for a moment and just ask you very briefly about Ndyawe. We know that Mr Moorcroft the member of Parliament - or we have heard that Mr Moorcroft was there and I think your evidence is to the same effect. --- Yes he was.

Do you know whether he is able to speak Xhosa? --- Yes he is.

Yes. Was he - in your presence were there discussions directly between Ndyawe and Mr Moorcroft? --- Yes.

Are you able to tell us approximately how many people were present at that house when Ndyawe was there? --- I remember there were two sessions as it were of that meeting, one larger one at which there were I would estimate - I am not very good at estimating but I would estimate say 20 people. Then there was a smaller meeting at which there was simply Nkwinti, Moorcroft, Ndyawe, one other person I am not quite sure who that was and me. (20

All right. And did anything occur in your presence while Ndyawe was there to suggest that illegitimate pressure was being placed on him? --- No. No. You see I was not very clear about what was going on in the bigger meeting because a lot of that (30

was in Xhosa and I did not know what was going on but I had heard the gist of what was to be said earlier that morning. You see I had gone along to Priscilla Hall's house and I was told that this man would be brought through from Port Alfred and that he would have things to say.

All right. --- And then I went away and when I came back they were talking.

Was Mr Moorcroft present at the bigger meeting as well?

--- Yes. Yes and the main speakers were Moorcroft, Gugile Nkwinti and Ndyawe. (10)

I see. --- With a certain amount of translation by Moorcroft of what he was saying.

I have no further questions.

COURT: Thank you Mr Chaskalson. Mr Nepgen?

EXAMINATION BY MR NEPGEN

Mrs Christie when you had the second meeting with Ndyawe, the one that you have referred to this morning. --- Yes?

Was an interpreter used? --- Yes there was.

Can you remember who interpreted? --- I think it was Gugile Nkwinti. Possibly Moorcroft as well working in combination. (20)

And how was that statement minuted? On what basis did you take the statement? Did you ask questions or did you just ask him to tell a story or what was said? --- If I can recall what happened was that the story had already been told in the larger meeting, o.k.? It would now be rather more formally recorded and so he was taken through the story he had already told in the larger meeting so that from time to time people would say to Ndyawe oh remember, oh there, in other words in the larger meeting you said, what was it again, you know, what was said and I would take it down and it would be translated for me so that I could record it. You see because it was in Xhosa, most (30)

of it, o.k.?

Do you understand Xhosa? --- No. So that it would be translated from time - you know, simultaneously so that I could take it down. I did not take part in the questioning all the time. There were certain things that I asked. I mean I can remember trying to get clarity about what was the day that these four men were supposed to have been brought in, I can remember saying, you know, was there television, was it English, was it Afrikaans, what was the time, to try to get some certainty about was it a Thursday, was it a Friday and so on, a Wednesday. (10

Are you suggesting that he was asked in English what was it you said at the big meeting about this and that and that? --- No. All the discussion with him directly was in Xhosa.

Then how do you know that was asked? --- Because I said ask him this and then I trusted E K Moorcroft to translate for me.

You said ask him what was said about this and that and that? --- Ja, ja. Ask him was there telly that night, ask him this and then E K would ask a question and say yes or no as the case may be. (20

And was Mr Moorcroft the one who was doing the interpreting? --- I said I thought that Mr Moorcroft and Mr Nkwinti did the interpreting.

In your affidavit which is A80 you say in paragraph no 6 that Ndyawe was introduced at the meeting and that he made very serious allegations concerning the deaths of Goniwe, Calata, Mkonto and Mhlauli. Do you recall that? It is in your affidavit and you have it before you. --- Yes.

Is that correct? --- Yes.

Did he mention the names? --- No he mentioned it as a group. (30

Did he ever mention the names? --- He said that in retrospect

I realised these must have been the people.

Did he say that? --- He said - yes he did. In other words what he said to us was I did not know the names of the people at the time they were brought in, o.k.? Later we heard these people had gone. These must have been the people. That is what he said. That is the gist. I cannot obviously recall exactly the words that were said but no, he was very particular that he did not know the names.

Yes because in the affidavit that you prepared those names just do not appear. --- Yes, no. This is my affidavit, not his affidavit. (10

Yes I understand that but the impression one gains from your affidavit or possible impression was that he mentioned the names and I am just trying to obtain clarity. --- No he did not mention those specific names.

And that is the reason why in the affidavit that you prepared the names do not appear. --- Yes.

During the course of the discussion with Ndyawe was anything put to him, any suggestions made as to what might have happened or what might have been said? --- Not that I can recall. (20

Does that mean you do not know? --- It means I cannot recall. I do not remember.

So you cannot say yes and you cannot say no? --- I am saying I cannot recall.

Very well. Did you take down the statement in your shorthand also? --- Yes.

And then you typed it from that? --- Yes I typed it that evening, Friday night. I went to Rhodes because I have not got a very good typewriter at home so I used the Rhodes department typewriter. (30

All right, you typed better on that. --- No they are all

done / .....

done on the same typewriter.

Oh. --- Just not very good.

You referred to the fact that the allegations which were made were very serious. --- That is an opinion statement by me.

Well I think it is a very fair opinion to hold. You considered them to be very serious in your own mind. --- Yes.

And you say in your affidavit that you in fact discussed with Mr Moorcroft the adviseability of making the contents of the statement known. --- Yes I did. (10

In paragraph 11 you say that you both felt strongly that it would be premature to reveal it. --- Yes.

Reveal them to whom? --- Reveal them to any figures in authority let alone to the press or to the S A P.

Why premature? --- Because they needed to be supported. They needed to be corroborated. That is what we felt at the time.

You were not certain of the veracity. --- Not 100%, 100% you know. It was a very hectic environment in the Eastern Cape in 1985 and a lot of allegations and counter-allegations were being made. (20

Why did you take an affidavit or why did you want to take an affidavit? Why did you want the statement on affidavit? --- Because he wanted to make a statement.

But why on affidavit? --- I do not think now that I would have but I think I might have made a statement rather than an affidavit but at that time I had not served articles, I had not really - I think I might have taken a statement.

No I just - but what at that time made you decide to make it in an affidavit form? --- I do not think there was any - (30  
it just seemed the thing to do. You know, that ... (incomplete)

Very / ....

Very well. What did you intend to do with that affidavit?

--- It would then be communicated possibly to the S A P, possibly to other figures in authority.

When? --- That had not been discussed.

But was it your intention to have the affidavit and communicate that to the police? --- It would eventually yes.

Eventually when? --- I cannot tell you.

But was that then the real purpose of taking the affidavit to eventually at some stage put those facts in affidavit form before the police? --- Eventually yes but not necessarily within a day or two (10

But then why withhold? Why withhold those facts? --- Because the allegations that had been made directly involved an accusation that the South African Police had been involved in the killings therefore you do not go to the aggressor and say this is what you have done.

But that is what you intended to do with the affidavit ... (INTERVENES) --- Eventually once it was incontrovertible but it certainly was not at that time.

How would you know whether or not it was incontrovertible? --- Obviously one could not but to have slightly weightier testimony (20 than merely that one person.

So you did not ... (INTERVENES) --- The idea was that we would attempt to verify through the community and thereafter once there had been support for that or not, as the case may be, take it further.

There was not, was there? --- So far as I know - I do not know.

Well did you go about taking steps to attempt to verify it? --- I myself did yes.

Yes and without success. --- Only in one particular case. (30 I only phoned the Oosterlig newspaper and I gave the notes and the / ....

the statement that I had made to Gugile Nkwinti and I said look, I do not know Port Elizabeth, I am simply nothing more than a stenographer in this one, would you or the people that you know take it further.

But nothing further happened to your knowledge? --- To my knowledge no, I do not know. Many of these people were taken into detention and I left Grahamstown a few months later.

You mentioned one of the reasons why you had possible doubts regarding the reliability of the statement was because Nkwinti had brought Nkayi there and he was as such in the UDF. --- There (10) was a niggling doubt in my mind.

I see. It may have been - there may have been threats against him to make such a statement because of the animosity between the UDF and Azapo. --- That is possible.

Yes but it was a possibility that was in your mind. --- Sure.

And existed at the time. --- Sure.

Now the meeting with Bingo which took place on the Sunday after that, you say that it was Phile Nkayi who brought him there. --- Yes. (20)

Was Phile Nkayi present when you took the statement from Ndyawe? --- He was in the larger meeting but not in the smaller meeting.

Did you see Nkayi at Mrs Hall's house when Bingo was there? --- Yes.

You would have referred to certain portions of the statement that Bingo made, among other things when he said that his hands were untied, loosened in the presence of the two white women, in fact earlier on in the statement he said that his hands had been bound by wire. That is not true? --- Well they certainly (30) were not bound by anything in my presence, let alone by wire.

The impression that I get from your affidavit is also that you had considerable doubts regarding Bingo's reliability and credibility. --- I could not understand what he was getting at. He seemed to be - again for the same reasons that I said I could not - I was not familiar with the territory, o.k.? And the story that he was telling. He seemed to me to be saying things that were internally inconsistent and after a while I just got fedup and I said now I have had enough of this and I am going, why are you telling us all this and I left it and I said to Priscilla Hall let me go up to Rhodes, let me type (10 this lot out, see whether it makes any sense, this is a jumble of notes, you know, which it is very difficult to scan in shorthand. You cannot see what you have got. Let me go up to Rhodes, type it out and I will come back later. Then I came back in the evening and I said a lot of this seems like ... (INTERVENES)

Is it fair then to summarise the way that you felt, by saying that you had considerable doubts regarding his reliability and credibility? --- Yes it is. Not necessarily about everything he said but certainly about some of the things that he said. Why does he give - I kept thinking why is this man giving us (20 all this fact, all this detail and then ... (END OF TAPE - NEW TAPE STARTS) ... He was, towards the end of the meeting he seemed very upset by the story that he was telling and at one stage he burst into tears when he was talking about "impimpi". He was crying and he was upset.

C5 Mrs Christie did you, when you made your notes in your shorthand did you make the comments that appear on the typewritten notes at the same time? --- No.

Were they inserted afterwards? --- No those were insertions by me later on yes. (30

They were inserted when you retyped ... (INTERVENES) ---

That / ....



That is ... (INTERVENES)

What was intended to be a statement and which you eventually found you could not make into a statement, you inserted those comments. --- Ja. I cannot remember, you know, thinking about it over the last few days, I cannot remember whether - how the meeting ended. You know, whether we were to get back to him once we had seen what the notes looked like. I knew he was going to be in Grahamstown for another week or so because he said he was staying in Grahamstown. I cannot remember whether any arrangement was made to get in touch with him at all. (10

Well it ended because you got fed up. --- Ja I know. Yes I do.

In your notes if I can refer to that, it is A80(2), you referred on page 4 to the fact and this would appear to be your comment: "Bingo does not suggest that the petrol bombs came from the police." Is that your comment? --- Yes.

What was the point of that comment? --- Remember I was - this meeting was in my own mind focussed on two issues or two areas. One was part of general Black Sash monitoring committee work and part looking for corroboration for the story that Ndyawe had told, and he had told quite a coherent story, so I did not have a copy of Ndyawe with me, I do not think, my mind is blank on that but I was looking to ask him about points that Ndyawe had made so it would have been, I think, a question that I made or a question I put to him. (20

That you asked him whether they came from the police. --- Ja.

Why then say he does not suggest the bombs came from the police? Why not say that he denies that the bombs came from the police? I'm just asking. --- I do not know.

The reference as to the mode of making bombs he says nothing about any white powder. --- Yes because Ndyawe had mentioned (30

white / .....

white powder.

I see. So you were in fact seeking some corroboration.

--- Yes.

From Bingo. --- Yes.

To satisfy yourself as to the reliability and veracity of Ndyawe's statement. --- Yes I was. At least in part.

Yes. Did you at any stage have any argument with Bingo about matters relating to Azapo or anything else? --- Yes when we got to the "impimpi" time, yes that was in fact an argument.

What was the argument? --- I said to him what is an "impimpi" (1) and then he said this and I said well is this really what you want, is this the way to free your people and then he, you know, he started to cry.

He said to you an "impimpi" is someone who is selling his nation just like we have been doing in Azapo." --- And he was crying as he was saying it.

What do you mean then by saying you asked him is this what you really want? I am not clear on what that means. --- He says "impimpi" is someone who is selling his nation and I said (2) is that what you really want, then he began to cry and he made those admissions.

Did he say he was an "impimpi"? --- That was the implication.

I see. I would just like to ask you about something that appears on page 3. One finds at the bottom of page 2 your notes relating to payment received or allegedly received by Bingo and by others from different sources apparently. Money was sent from Mabasa who is the past president of Azapo and for different reasons money was received and then you have got in brackets on page 3 from the third line: "Bingo denies being (3) anything but an ordinary member of Azapo. It was put to him that he was a key person in the organisation, that he continued

to / ....

to be the treasurer of the local Azazim branch denied." Who put that to him? --- Priscilla Hall or I would have done it. I cannot remember.

Did you have information that he was a key person in Azapo? --- Because he said earlier that he was. He said earlier that he was.

Did he say so? --- That he was entrusted with recruitments and that he was one of the people who was in an important group as I can remember.

Well he said he was entrusted with the duty of recruiting new members. Where is the information that he continued to be the treasurer of the local Azazim branch? --- I had no outside knowledge, no knowledge of this man at all outside this meeting. (1

Where did that come from? How could it have been put to him? --- It was put to him because he seemed to know an awful lot about the finances of the place.

Your note goes on to say: "Put to him that the reason he was getting the money that he got and that he was receiving more money than he had conceded was because he was important in the organisation. Denied." Who put that to him? --- We did. (2

Why? --- Because he was saying that he knew an awful lot and then he was saying but I was not actually involved in any of the missions but he knew absolutely - he knew an awful lot more than Ndyawe had known and was willing to discuss and reveal more than Ndyawe had known even though they had both apparently been in the Magina household for about the same period of time. Why then I wondered did this man know so much and know so much about what everybody else is getting and yet says he is not an important person. (3

But yet he appears to have contradicted himself in a number

of / ....

of respects on aspects which he would have been expected to know about had he been such a key member. --- That is true.

That is true? Is that what you said? I did not hear what you said. --- I said ja, that is true.

Just then finally to get to something more directly related to the issues or the issue before us, you said in your evidence that he never - he said that he did not have any direct knowledge of what had happened to Goniwe and the others. When you nod do you mean yes? --- Yes.

And did he know that they had been murdered? --- Oh yes. (1

He knew it? --- Yes.

But that was all that he knew? --- I am not sure about that.

I see. Well you know your own note on page 8 "Re Goniwe etcetera. Bingo says that there had been no discussion at all at Magina's and the only information that was available to them was what was gleaned from the papers and television." Do you see that? --- Yes but even then he would have known more than simply that they were murdered.

You mean just from reading the newspapers and watching on television? --- Ja. Yes. (2

When you say then that he did not know what had happened to them, do you mean that he did not know ... (INTERVENES) --- Anything more than the general public.

I see. He did not know who was responsible? --- No.

I beg your pardon? --- No he did not. He said he did not know.

Thank you.

COURT: Thank you. Mr Moosa?

EXAMINATION BY MR MOOSA

Your Worship I have some difficulties with this witness because I was handed in what is not EXHIBIT A80(2) at nine o'clock<sup>(3</sup> this morning and I had just begun when the Court commenced to

put / ....

put it to my client. Could I ask for a standdown until tomorrow morning when I will be in a position to cross-examine this witness?

COURT: (MACHINE SWITCHED OFF AND ON) ... questions not going to be repeated every time Mr Moosa.

MR MOOSA: Your Worship if I have got everything it will not be repeated at all. I was given this document for the first time this morning.

COURT: Very well. We might as well adjourn then until tomorrow morning in any case. I do not think it would be wise to take other witnesses in between. I think we adjourn until tomorrow morning nine o' clock. (1)

COURT ADJOURNS - COURT RESUMES ON 17 FEBRUARY 1989

SARAH HELEN CHRISTIE (d.s.s.)

EXAMINATION BY MR MOOSA

Thank you Your Worship. Mrs Christie yesterday do you remember referring to one of the statements you made in your affidavit as an opinion statement? --- Yes I do.

Now that opinion statement amounts to the fact that the allegations made by Ndyawe in his affidavit are of a very serious nature. Remember that? --- Yes. (2)

Would you agree with the following that they are so serious that they could first of all if repeated, start the UDF and Azapo clash all over again? Do you agree with that? --- It might have ended the Azapo clash as well as continue it.

No repeated today I mean. --- Repeated today?

Yes. --- It is a possibility.

It is a possibility yes. And if irresponsibly put, if irresponsibly placed before anyone they could constitute a red herring in this inquest if they do not give us any leads or any evidence about the death of the Cradock four. Would you agree with that? --- Yes. (3)

Yes / ....

Yes. Now if you look at Bingo's evidence on your own affidavit you say that he actually offers you no help or at least hardly any help on the Cradock four. --- Yes.

And in the notes that you took as was pointed out to you there was only a small portion that deals with the Cradock four and there he says that he gleaned no more than what was available on the television and in the press, basically from the media. Is that right? --- That is what he said yes.

That is what he said and you have no reason to disagree with that? --- I do not think I can draw that conclusion. (10

Well there was no evidence to suggest otherwise. --- No he did not say anymore about that.

And do you believe that he knew more? --- I had a suspicion that he knew more.

And what is your suspicion today? --- It is as it was then.

I see. In other words do you still hold to the theory that Azapo and the police collaborated rather intimately? --- My belief is with respect of no consequence.

Your belief is of some consequence. I will tell you why just now but what is your belief today? --- There was a strong suspicion that the statements that were made to me were in large measure true. (20

Yes you are still talking in the past tense. I am talking about your belief today. --- I have had no further information that would lead me to alter that previous opinion.

Have you had any suspicion which would lead you to confirm that view at any stage? --- No.

Now how did you come to this view in the first place? --- From the statements that were made. (30

Do you mean before you saw the two gentlemen, Ndyawe and Bingo, you did not have any views about this matter? --- I had an awareness of rumours. I can put it more strongly than that.

They / ....

They were strong rumours, isn't that right? Strong rumours that Azapo worked with the police. --- Yes they were.

Where were those strong rumours spread, do you know? --- They were spread generally throughout the country.

Throughout the country in 1985? --- As far as I can recall yes.

And how do you know about rumours which would apply country-wide? Where did you stay at the time in other words? --- I lived in Grahamstown at the time. (10

So there were rumours in Grahamstown that you knew of at least. --- Yes and in the national press as well.

In the national press it said that Azapo and the police were collaborating? --- There were rumours to that effect and there were comments in the paper as far as I can recall.

In which paper? --- I cannot recall.

You cannot recall anything about that. You also cannot recall I see where your original notes of EXHIBIT A80(2) are.

Is that right? --- My original notes? The original ... (INTERVENES (20

Your original notes yes of this typewritten copy. --- As far as I can remember I handed those to Brigadier van der Westhuizen a year ago in Cape Town.

To a Brigadier van der Westhuizen? --- Yes.

I see. Now when did you join the Black Sash? --- I think in 1974.

I see. Could you please describe the relationship between the UDF, which was launched in 1983, and the Black Sash in the Eastern Cape? --- Black Sash was not an affiliate of the UDF.

Yes? --- But the Black Sash worked towards the achievement of the same aims as the UDF. (30

Those aims being? --- The creation of a non-racial democracy in / ....

in South Africa.

I see. Now what was the working specifically of the Eastern Cape branch of the UDF and the Eastern Cape branch of the Black Sash? How closely did they work together? --- I cannot offer an opinion on that.

Were you not a member of the Black Sash in this particular region of the Eastern Cape? --- Yes. Yes.

How is it that you cannot offer an opinion on that? --- Because I cannot offer a comparison as you wish me to make between the operations of the Black Sash and the operations of the UDF. (1

Maybe we do not understand each other. I am asking how closely did they work together in 1985 let us say, the Eastern Cape region of the UDF and the Eastern Cape region of the Black Sash. --- As far as I am aware they were operated separately. Certain members of organisations which may have been - again I am guessing, I am not an expert on this at all and I cannot offer any, you know, evidence of how the UDF operated. What I know about the UDF is that it operates through - largely through then separate organisations and did not have individual membership. (2

Let us put this question another way. In the area in which you operate at Grahamstown which community organisations from the black community did the Black Sash work closely with? --- Grahamstown Civic Association.

Was that an affiliate of the UDF? --- As far as I can recall yes.

Yes. Any other organisation? --- Probably you know - you would actually need to lead me because I cannot, you know, my memory is not that good.

I see. O.k., any organisations in the black community which operated under the umbrella of black consciousness or under the umbrella of the unity movement, did the Black Sash work (3

with / ....



with those organisations? --- I think there were at Rhodes University an organisation called the Black Students' Movement.

Which is part of the UDF I believe. Is that not so? ---  
I do not know.

Yes. Let me revive your memory. Is the Black Students' Movement not an affiliate of what was then the Azanian Students' Organisation, AZASO which is now the South African National Students' Congress, SANSCO? --- I do not know.

O.k. take it from me then. The BSM is part of the UDF.

COURT: Yes Mr Moosa could the Court just come in between here? (1)

I take it these questions are leading up to - in proving the identity of the killer or killers because if it is not I cannot allow this line of questioning going any further.

MR MOOSA: I hope so Your Worship. I think your ... (INTERVENES)

COURT: Please keep it to aspects which are relevant please.

MR MOOSA: You will see our line coming through.

COURT: Thank you.

MR MOOSA: Now you speak in your affidavit of the sub-committee of the Black Sash to monitor political unrest. Do you recall that? --- Yes. (2)

When was the sub-committee formed? --- In the early part of 1985, I think around March. I cannot be certain of the date.

And why was it formed? --- Because there was a great deal of unrest and it was affecting small communities which did not have particularly we thought legal representation and support networks with other towns.

I see. You mentioned something of the aims and objects there. Were there any other aims and objects of the sub-committee? --- No I phrased the - as I remember I phrased them quite broadly and that in summary were the aims of the sub-committee. (3)

I see. Who were the members of the sub-committee in your  
area / ....

area, Grahamstown? --- Rosemary Smith, Louise Veil, Marianne Roux, there are some other people whom I cannot remember just now. I can picture them but I cannot put a name to them. They were all members of Black Sash in Grahamstown. About 10 or possibly 12 in all.

Priscilla Hall? --- Yes.

Anne Burrows? --- Yes.

How closely in Grahamstown did the sub-committee work with UDF people? You have already mentioned Gugile Nkwinti , you have mentioned Phile Nkayi. How closely did it work with those (1) people? --- I do not think it worked closely with Gugile Nkwinti. What would tend to happen there would be no formal links but Grahamstown is a very small town and everybody knows everybody and people often wear different hats so people might be members of say Black Sash and also members of other organisations, for instance come to think of it there was an organisation called the Committee of Democrats which was a white organisation which was an affiliate of the UDF. Some of the members of the Black Sash were members of the Committee of Democrats, some of them (2) may not have been.

And yourself, what organisations were you a member of besides the Black Sash? --- That was about it. I mean apart from things like Institute of Race Relations I was not a member of any other organisation.

So you were not a part of the Committee of Democrats? --- No.

I see. Now would it be correct to say that at the time you were holding a view that Azapo was perpetrating violence against the UDF? --- At what time are you referring to?

In about July 1985. --- Before or after the interviews? (3)

Before or after? --- Before or after the interviews.

Before / ....

Before and after. --- Before I did not hold that opinion.  
Afterwards I did.

I see but you had heard these strong rumours? --- Yes.

And you had heard these strong rumours only from UDF people,  
am I right? --- I do not know that I can say that no.

Well did you hear any version which came from the Azapo  
side? --- A denial.

From where did you get that denial? --- I do not know.  
I do not know.

Something in the press maybe? --- Possibly, possibly. (1

I see. Did you never hear for example that the violence  
was initiated by the UDF? --- I heard that there was violence  
from both sides towards the other.

I see but how did it start? Did you look into the causes  
of it? --- No.

I see. You have told us yesterday, you know, time and again  
in cross-examination and even now that you are not an expert  
on this. Am I right? --- Yes.

That in particular you do not know the topography of both  
Port Elizabeth, you do not know the actors in Port Elizabeth. (;  
Am I right about that? --- Yes.

And I take it that that is still so. --- Yes.

Even now when it comes to the black community and to the  
actors in the black community you are as far from an expert  
as it is possible to be. Would that be right? --- Well that  
might be putting it a bit strongly.

I see. --- But I could think of somebody but no less.

Yes I see but you are not an expert. --- Yes I keep saying  
so.

Ja. I want you to maybe repeat that. So when it comes (;  
to the reasons for violence and violence between Azapo and the

UDF you do not know anything about that, you will not be able to express any opinion either about the causes or how it developed. --- No.

But your identification politically would be to the UDF and not to Azapo. Would that be right? --- I am white and therefore even if I had wanted to be part of Azapo my understanding of its persuasion is that whites are not welcome in that community.

I see. You have an understanding of its persuasion I see. What are your views about black consciousness as both an ideology and philosophy? --- I cannot see the relevance of this question. (1)

Well I do not know if you are going to determine that. --- For what it is worth, and again, I am a lay person in these matters, but for what it is worth my understanding of the views of Azapo are that as an ultimate goal for the future of this country it aims at a non-racial democratic system but that the route towards the achievement of that end should be to enhance the status and dignity of blacks and therefore it is through black actions rather than through blacks assisted by whites that that ultimate goal should be achieved.

I see. And your own personal view about the role you can play in this struggle, what is it? --- Quite modest I might say, but I aim to live as a democrat and I aim to - I have a sense that through working alongside people of different colours one is more likely at the end to achieve - in other words the route towards the end should reflect the end in view. (2)

I see so you differ with Azapo on the strategy. Is that right? --- It would be impertinent for me to say otherwise I cannot be a member of Azapo if you are saying do I criticise Azapo for the way - for their political persuasion, no I do not. (3)

I see. What are your views about the banned African National

Congress? --- I support the broad long-term goals of the African National Congress. I certainly do not support in any way at all violent action to achieve those goals, not in the very slightest.

I see. Now would it be fair to say then that when you listened to Ndyawe you had suspicions about what he was telling you? --- Yes it is true.

You have already told us that Bingo really told you nothing, absolutely nothing about the Cradock four. --- Yes.

And that Ndyawe's statement therefore remains up to today, uncorroborated. --- Yes.

And now you also make the statement in your affidavit that in discussions with Moorcroft you decided that it would not be appropriate to release the information you had at the time. --- I have already said that.

Is that right? --- Yes.

Now what made you change your mind and release this information later? --- Because the inquest was being held.

And how did that change anything if the evidence of Ndyawe is still uncorroborated and if Bingo offers no information which would help this inquest? --- That is for the Court to decide. It is not for me to decide. The only reason I put that statement in was - and you know I said I made it very clear for what it is worth, here is a version that came to me two and a half years ago and do with it what you will.

I see. You were a lecturer at Rhodes University. What courses in law were you lecturing in at the time? --- Constitutional and Administrative Law, I gave an introductory course to first year LLB students. I also taught some Commercial Law to mercantile law students, a basic introductory course in Contract and Sale and I also offered a final year option in Labour Law to the

LLB students.

I see. You have since completed your articles and have become an attorney. Is that right? --- Yes.

Now, now that you are an attorney, tell me, what would you think the value of a statement would be if I had to write on this piece of paper Sarah Helen Christie belongs to the Security Branch of the Police and I said to the inquest or any other Court take this and use it for what it is worth? What would be the value of that? --- It would depend on whether you also said that Sarah Christie had told you that she was a member of the Security Police.

Well let us say I said that I interviewed Sarah Helen Christie and she did not come out openly with this, why she is being so evasive I "dunno", d-u-n-n-o. What would you say would be the value of that? --- Again, again, if that statement is on its own not worth very much but if it is in the context of other statements and possibly other evidence then it might begin to tell a tale.

What if it is in the context of entirely uncorroborated evidence and evidence which has no bearing on the subject matter of the inquest? --- Your Worship I fail to see whether my opinion is relevant. I mean we are not dealing with fact.

COURT: Yes, no, I am quite sure your opinion is not that relevant on - you are not an expert. Mr Moosa?

MR MOOSA: Your Worship I know that the ... (INTERVENES)

COURT: In any event it would be for a Court to decide on the value of such a statement, not for her.

MR MOOSA: That is correct Your Worship but even in the affidavit presented by the witness she offers an opinion about this, she even says that they had discussions about the appropriateness ... (INTERVENES)

COURT: Does that mean the Court must take notice of that opinion?

MR MOOSA: Your Worship it is before the Court.

COURT: Well it is for the Court to decide what notice the Court is going to take of it.

MR MOOSA: That is correct Your Worship but I am sure the witness' testimony in this regard has great value.

COURT: You are now asking an opinion from her. She must say what value she places on such a statement which you indicated to her but she is quite correct. I cannot see how it can take the matter any further.

MR MOOSA: Your Worship the question goes this way that she has decided to place this evidence before the inquest. In deciding to place this as a member of a committee she obviously thought it is of some value.

COURT: But she also said that the Court could do with it what it wants to do and it is for the Court to decide what value the Court will place on it.

MR MOOSA: That is absolutely correct Your Worship. It is for the Court to decide. All I am getting at is how she came to put it here in the first place and I do not think that the witness can tell us anything more than that. You are absolutely correct about that and that is all I am seeking from her. --- I think also Your Worship I did not place my notes that I made from the Bingo meeting in my affidavit. When I was approached a year ago by, I think it was Brigadier van der Westhuizen and Colonel Engelbrecht, they wanted to know did I have anything more and I said yes I had retained notes from the Bingo meeting and I gave them to them. I did not seek to place those through the Court as part of an affidavit. The circumstances of Ndyawe telling me his story were that he seemed to me to want to tell a coherent tale, he seemed relieved at having an opportunity

to / ....

to tell his tale, I had no reason to doubt the veracity of his story and therefore there was the text.

That is all I in fact asked you Mrs Christie but of course Ndyawe never turned up to sign his affidavit. --- True.

And obviously then there were doubts about the veracity, more doubts than there were before. --- Not necessarily doubts about the veracity, not necessarily.

Then what? --- There might have been some other reasons why he did not want to - why he had had cold feet.

I see and did you go into those reasons with the people (1  
who were supposed to be looking after him that night? --- They could offer no further guidance. I spoke to Phile Nkayi once, the day he was supposed to - Saturday the 13th when he was to have come with Ndyawe to the office and I said to him where the hell has he gone, he said I do not know, no idea.

I see. Did you make any further enquiries? --- I have never spoken to him again.

I see. Now when exactly did the PEBCO killings referred to in your affidavit, occur? --- Well I do not know that we know (2  
that they were killings, do we?

Well whatever they were when exactly did those people disappear? --- I think it was in March, February/March 1985. I am not quite sure when it was.

I see. Were there any clashes between the UDF and Azapo at that time that you know of? --- Yes there were.

Where? --- In Port Elizabeth and elsewhere.

I see. You see Mrs Christie that is very puzzling because all information points to the clashes only starting at the end of April 1985 and that is something new that it started earlier (3  
than the end of April 1985. Maybe you would like to tell us where you get that information from? --- From an imperfect memory  
you / ....



you know.

I see. It is only from an imperfect memory? --- Yes. Yes.

O.k. End of April 1985 is my information and you are not able to dispute that. --- No.

Now how often were monitoring committee meetings held? --- I cannot remember whether it was every fortnight or every week but they were held on a Monday and as I say I cannot remember whether they were weekly or fortnightly but they were regular.

I see. Incidentally do you know someone called Roland White? --- Yes. (1

Was he a member of any organisation? --- Yes I think so. I think he was a member of at one stage the UDF executive in the Eastern Cape. I think. I am not quite certain.

And tell me, were there any clashes in Grahamstown between Azapo and the UDF that you know of? --- There may have been. There may well have been.

Nothing that you know of? --- No. No.

And in Port Alfred? --- Yes I think there were there as well.

I see. What was the involvement if any of Roland White in those clashes? --- I have no idea. (:

You do not know, o.k. Now what was the purpose of your informal monitoring committee meeting on 12 July 1985? --- As I have said in my affidavit the purpose was to hear the statement that was to be made by somebody who had knowledge of the killings of Goniwe and the rest of them.

Who was present during that meeting? --- I cannot remember everybody who was present.

Those you can. --- But are you talking about the larger meeting or the smaller meeting? (:

Let us start with the small meeting first. --- The smaller meeting / ....

meeting was E K Moorcroft, Gugile Nkwinti , myself, Ndyawe and one other person whom I cannot remember who he was. I did not know him and I am not quite sure who it was.

So in other words it was not strictly members of the Black Sash or its monitoring committee? --- Oh not at all. Not at all. Not at all. What happened as I said yesterday was that there was a larger meeting at which - remember this meeting was hurriedly put together. Normally meetings were held on a Monday evening. This was an extraordinary meeting for an extraordinary situation and it was many of the members of the monitoring committee and other people as well, for instance Mrs Chalmers from Port Elizabeth was also there. There may have been other Black Sash members from Port Elizabeth, I am not quite certain. I did not know all the people at the meeting but those that I do remember were Anne Burrows, Louise Veil, Priscilla Hall, myself from Black Sash. I do not know. There could have been other people there, I am not quite certain and then there were Mr Moorcroft, Nkwinti , Nkayi and then there were people again whom I had not met but who were said to be from Cradock.

I see. But there were certainly UDF people present at the meeting? --- Yes, yes.

You know Ndyawe has told us that he was assaulted in Port Alfred and brought before that meeting. What do you say about that? --- He did not appear to have been assaulted.

Yes. --- I had no reason to wonder that he had been assaulted. There was no indication that he had been assaulted. I did not speak to him during the larger meeting but in the smaller meeting he - there was no sign that he had been assaulted and he did not appear to be particularly stressed either.

But ultimately you would not know. If he said so then it could / ....

could possibly be so. --- It could be.

When Ndyawe said that he is an Azapo member how did you check that out? --- I did not. I could not check it out.

But you did check a number of things out, isn't that so? --- I checked out one item, that was the reference not by Ndyawe but by Bingo to somebody called Sipho Hashe working at the Oosterli newspaper as a packer I think he said he was.

I see. --- But again as I said yesterday I was not an appropriate person to do any or make any attempt to verify the information

Indeed so. Now tell me why did you not mention the smaller and the larger meetings in your affidavit which you made? --- I did. I did mention it. (1

I see. Tell me where? --- On - in paragraph 4 I say "On Friday 12 July at an informal monitoring committee meeting I heard that ... blah, blah, blah" After - and then at paragraph 7 on page 2 "After this meeting", in other words the one I have just described "I, Moorcroft, Nkwinti , Ndyawe and another man had a meeting in the course of which I took a statement."

So that was a smaller meeting in paragraph 7? --- Yes. Yes. (2

And the larger meeting was paragraph 4. --- Yes what - if I can just ... (INTERVENES)

Paragraph 6. --- Go over it again. I was phoned at home and asked to go to a meeting at Priscilla Hall's house. I went to the meeting and there were a number of people there who said we are waiting for Nkwinti who is coming up from Port Alfred with this man, nobody knew his name at that stage, who has a story to tell about the Goniwe killings. I waited. I waited for about, I do not know, half an hour, three quarters of an hour and then I said look, I have got work to do, I am going up to Rhodes, I have got a whole lot of marking to do, if and (3

when / ....

when it ever happens and if you want me to come give me a call. I went to Rhodes and some time in the late morning, I cannot put a time to it, I was phoned, I went back. When I arrived at the house this larger meeting was in progress. That then broke up and a smaller group went into the dining room. So there was a continuity from the larger to the smaller meeting.

I see. In the smaller meeting why were you the one chosen to draft an affidavit? --- I suppose because I had some legal background and there were no other attorneys present and it was also that I had useful skills, I had shorthand and typing you know. (1

Was it a collective decision that it was an affidavit that was to be drafted? --- I cannot remember whether it was to have been an affidavit or a statement. There was not any discussion as to whether it should be a statement or whether it should be an affidavit. I cannot remember.

So as far as you can remember it was your decision? --- It may have been. I do not know. I do not know. It seemed to be an imperceptible, you know, decision. I cannot say that there was any discussion. (:

You said yesterday it was the thing to do. --- Ja.

You do say that threats were made in your affidavit against Ndyawe when it was discovered that he was an Azapo member. --- Yes.

I take it that those threats were made by people who belonged to the UDF. --- I have no way of knowing but I could not say yea or nae to that.

I see. You only heard of this. --- Yes.

When you and Moorcroft made the assessment that it would be premature to release the information, what factors did you take into account? --- Look, we are going back a long way and (

I / .....

I did not keep notes of the meeting or my discussions with Moorcroft but as I can remember it was the lack of corroboration, obviously the fact that the man had not signed it, the fact that it was an extremely serious statement, the fact that particularly if it was true it could be suppressed. You know if we thought it was not true it would be totally irresponsible to release it because it would be simply malicious and liable to foment even more discord than there was already but even if it was true there was a suspicion, a doubt whether it would be suppressed and whether a proper investigation would take place. In fact when during the course of the following week I heard that Phile Nkayi had been arrested on a charge of kidnapping and I heard from his attorney later that he had said that he had been bound and gagged I thought that was utter nonsense and I thought good, I hope that charge is put, then at last the story will come out and perhaps a full investigation will take place.

We will come to that later but were you equipped to conduct a proper investigation? --- No. No I have already said I was not.

I see. So there was not any real purpose in you keeping information back then. --- From the South African Police?

From anybody. --- At that stage I thought there was.

I see. And you say you were not equipped to check with Azapo. --- I have said it half a dozen times.

No you have said it once only. But you did describe yourself merely as a stenographer yesterday, do you remember that? --- Insofar as the facts yes. Insofar as the general political climate, no.

I see. You were more than a stenographer when it came to the general political climate? --- Yes I am an interested human being in - you know, I am not empty-headed.

I see. Now it is clear that you felt you needed corroboration of Ndyawe's statement and it is also clear that Bingo was brought to you within two days of that, isn't that so? --- Yes. Yes.

And did you tell anyone that you needed such corroboration besides Moorcroft, for example Nkwinti , Phile Nkayi? --- Phile Nkayi no because I had - no I do not think so and Nkwinti, I did not see Nkwinti again until quite a bit later. I cannot remember when. Nkwinti was one of my students and he was detained during 1985 but I am not quite sure when, I think towards the end of the year he was detained but I certainly gave the statements to Nkwinti and said to him look, I am not the person to take the matter any further, would you give this to people in Port Elizabeth and also later in the year, again I cannot quite remember when it was, an application was brought in the Port Elizabeth Supreme Court arising out of the Hashe disappearances and I met the attorney for the families of - - you know for the applicants and I think I gave them, I gave the attorney who is a Johannesburg-based attorney, Kate O'Reagan(?) those because if you remember there was a reference to the Hashe disappearances but she thought that it was not enough so that there was some knowledge on the part of Port Elizabeth people even then of the existence of those statements and I, perhaps in my naivety just assumed that something was being done either from the families or from elsewhere, I did not know.

But of course when you saw Bingo you said here is the corroboration that I need, isn't that so? --- I hoped so yes. I hoped so.

And all the questions that you put to him were directed to achieve that end, is that not so? --- Well I was looking really for two things. One, you know what did he have to say generally about the conflict and possible involvement of Azapo

in / ....

in wrongful acts, put it no higher than that and also, and equally as important looking for corroboration yes.

I see. Now you say - you said yesterday that you eventually got fedup. What made you fedup? --- I did not understand his attitude. He as I said yesterday, he seemed to be releasing an enormous amount of information, a whole welter of names, addresses, episodes and then he would say things that seemed to me quite silly-like and he seemed terribly clear on some things and completely blank on others and I just wondered what was he doing, was he just feeding us stuff, was he trying to confuse and I got fedup, ja.

I see. Did it never occur to you when he was giving you some information and not other information as you say that maybe he was under severe constraint, that maybe he was under duress? --- There was nothing to indicate that he was under duress but it did occur to me that he was trying to conceal certain information and not others.

Now you have stated that you felt that Bingo knew a lot more than Ndyawe. --- Yes he seemed much more intelligent as well than Ndyawe.

And at the same time you say he did not impress you as a witness. Is that because he was not giving you all the information? --- Because he seemed to chop and change a bit whereas Ndyawe had told a much more direct and coherent narrative yes.

And also Bingo did not offer the corroboration that you needed. --- True, that as well, that as well but not ... (INTERVENI

That as well. --- No, no, no, it was that he would suddenly go blank, o.k.? He told lots of stories that indicated to me that he was not relying on newspapers. I was particularly concerned when we were talking Ndyawe to wonder whether this was township gossip, you know, whether he was simply saying no more than

would / ....

would have been common knowledge or in the newspapers and Bingo did not seem to be or rather Bingo seemed to know an enormous amount and then suddenly to go blank.

But it would be ... (INTERVENES) --- And I understood that he might well be concealing a tale and that was his prerogative to conceal that tale. It was none of my business if he did not want to tell me anything.

I see. Well would it be fair to say that Bingo definitely did not tell you everything you wanted to hear? --- Well in the sense that I was looking for corroboration yes but he also told me a lot of things that seemed to me to be untrue. (1)

I see. --- Or at least inconsistent with things that he had said before.

So at least part of the reason why you got fedup was he did not give you that corroboration, right? --- No, no, no. No, no, no.

Now yesterday you made a statement also that one does not give uncorroborated evidence to the oppressor. Do you remember that? --- I do not think I used the word oppressor. (2)

You do not remember using the word oppressor? --- No I think I used the word aggressor.

Or to the aggressor. Who did you think the aggressor was? --- I thought it was the police.

I see. And eventually you gave your uncorroborated evidence to the aggressor. --- Yes. I also did make a statement to the police at - in the course of the Nkayi investigation and actually I tried to get hold of that statement during the course of last week after I had received the subpoena and apparently that docket cannot be found in the - in Grahamstown. (3)

In regard to this docket you first of all said that Bingo came to you voluntarily so far as you knew. Is that right?

--- So / ....



--- So far as I knew yes.

Yes. So it would be strange to you then if he came so voluntarily that he lays a charge of kidnapping. --- Yes, yes.

It would at least indicate that it was not so voluntary after all. --- It could do that.

I see. You give the impression in your affidavit that the charges were withdrawn against Nkayi because of the statement you made. --- No. No, no, no, I did not say that.

You do not know why those charges were withdrawn? --- I have no knowledge at all why they were withdrawn. (1

You know now that Bingo says that he was blindfolded and did not see who had assaulted him. Do you know that? --- No I did not know that.

I see. --- But I knew that he - yes I heard yesterday that he said he had been blindfolded but not that he did not know who had assaulted him.

Now when it comes to what we now call Annexure A80(2) your notes. --- Yes?

At first that you would agree that it is impossible for you to separate your own views, what was actually said by Bingo (2 and what was put to Bingo and he admitted. --- I would try to do that. I tried to separate them as I went along.

With a very imperfect memory, isn't that right? --- True.

I see. So it is going to be very difficult with that memory. --- There are certain things that I would say now that were certainly not conjecture or opinion on my part. Those I could. If you wanted me to I could do that now.

Now Bingo at a certain stage according to you, was crying and upset. Do you remember that? --- Yes.

When he was crying and upset did it not occur to you then (3 that he might have been under severe duress? --- I think the

meeting / ....

meeting itself was stressful. It did not occur to me that he might have been under duress before the meeting. I think he found - my own feeling was that he found the whole discussion stressful.

You also found the discussion stressful that is why you ate so many oranges and drank so much coffee. --- We were hungry.

I see. Now the information that I see here in Annexure A80(2) it is actually quite simply to put it into an affidavit or a statement. Am I right about that? --- Hm.

And yet you say you could not put it into an affidavit. (1)  
What was the reason for saying that? --- You see there were things within the statement that contradicted other things within the statement and which was the one that I should make a statement - I would have found it difficult. Certain things yes I would not have any problems with, other things, I mean I would not expect someone to come and tell me a story and keep changing it even as he is telling it.

I see. Is it quite correct to call this a statement? Was it not more in the nature of questions being put to Bingo and you writing the answers? --- Well many statements are taken (2)  
as I understand in the form of questions and answers, yes.

But if Bingo were to say look, I did not make a statement to you orally or in writing you would understand what he is saying but you did not say I want to take a statement from you, that you had merely made your own notes. --- Well that might be a matter of ... (INTERVENES)

You would understand that at least. --- Yes I think we discussed this yesterday when I said I do not recall that I actually said to him shall I now take a statement but I was the only one in the room who had an A4 pad on which I was writing. I was saying (3)  
things like "And then?", "Yes?" and writing it down. So in  
that / ....

that sense I took a statement from him.

Now Bingo tells me that there were about nine people in this room when the blindfold was removed. --- No. No. As I said so yesterday there was no blindfold present when I was there.

And that questions were fired at him and that he answered some but most of them were in the nature of things put to him. --- No you see I could not - a lot of this stuff I could not put to him. I did not know any of it. It was all new to me.

Even that he was the treasurer of the Azazim branch? --- (1)  
No. He - well yesterday there was some discussion from Mr Nepgen about that but I - that was surmise, admittedly but all the names and addresses and places, all this was absolutely new to me.

Of course we have only your word that this summary records everything that happened there and in fact even that is not quite true. You actually say you went, you were fedup and you tried to make sense of the jumble you had. --- Yes.

Is that right? --- Yes.

So you obviously felt quite free to leave out things which (2)  
you thought were irrelevant or unhelpful. --- I do not think I left out anything. I do not think so.

But you cannot remember. Your memory is imperfect, right?  
--- Look it is not all that imperfect. I mean I said it was imperfect in one context, I do not want it ascribed to everything.

I see but at least when it comes to your notes we do not have the benefit of those notes. --- No you do not. No you do not.

To check them out. First of all I want to put it to you from Bingo that he was brought into this room blindfolded. --- (3)  
I deny that.

And / ....

And that he was even assaulted in that room. --- No.

Looking at your statement, Annexure A80(2), actually your notes. Will you have a look at that? I put it to you that there are things which could easily have been checked even from the records of the Institute of Race Relations and newspapers which are so obviously untrue, for example you say in the second paragraph that he said he joined Azazim in 1981. Azazim was only formed in June of 1983. --- If you say so.

I see. So you did not bother to check? --- No.

I see. Incidentally Bingo also says that he was taken back (1) from your house and also kept in captivity. --- He was never in my house.

Sorry in the house in which the statement was taken. --- When I left the house he was still there.

I see. --- Alone with Priscilla Hall in her dining room. There is no question of his being held in captivity at all during my presence.

During your presence but if it happened outside your presence obviously you do not know. --- Obviously I do not know.

I also put it to you that there was never a member of Azazim (2) called Zanagona Kate. --- I cannot comment on that.

I see. Now the information you gathered in this document, what was the ultimate purpose of it? I see in that last paragraph a note for the Black Sash archives. --- Yes.

Was it to be put in those archives? --- We normally keep records and statements for archival purposes yes.

I see. Now the bias I was talking about earlier, do you remember that, your bias against Azapo? --- I do not recall that you used the word that I had a bias against Azapo.

I see. O.k. let me now say that you had a bias against (3) Azapo. I am just putting that to you. No comment? --- No.

Right / ....

Right. If you look at your last page why for instance if Bingo intending to leave Azapo and lie low for a while does he give so little information? Is he trying to hunt with the hare and the hounds? Well who is the hare and who is the hounds there? --- Well the hare might be the UDF or Azapo and the other way around.

I see. In other words you did not have a clear perception that the hounds were Azapo. --- Well the word, the phrase hunt with the hare and the hounds in this context can only mean a reciprocal enmity. (1)

I see. I do not know English that well unfortunately and you did mention that Mr Bingo spoke to you in broken English, remember? --- Yes.

Mr Bingo says everything was interpreted to him you see. --- I do not think it was, you know, I really do not think it was. I am certain it was just Priscilla Hall and I who were there for most of the time.

Phile Nkayi in and out. You already said so. --- Phile Nkayi in and out, Anne Burrows in and out once or twice.

Bingo also tells me he also does not have a sister called Andisa. His sisters are Nomsa, Thandeka and Nomvula. --- If he says so. I did not make up the name. (2)

Similarly there was never a member of Azapo called Sipho Hashe. There is now a member called Sipho Mahashe who was not a member in 1985. --- Hm-hm.

The allegation about receiving R80,00 a month from - and money coming from the central committee from Libon(?) Mabasa I put it to you is completely untrue. --- I cannot comment on that. The statement was made to me.

Nor does Libon(?) Mabasa stay in Alex Township. He stays in Soweto. Did you not - look, if this information was coming (3)

to / .....

to Bingo did you not cross-examine him further on some of the information? Like for example proof that money was coming from the central committee. Could you get that? --- Well I tried to ask him - well I did ask him questions about the money, where was it collected, how was it collected, what was it for, you know, so in a sense this is a transcript of answers rather than a transcript of questions you know so then in that sense it might be unhelpful because you cannot see what the questions were but yes, I did ask him as I can remember, a number of questions about the money. (1)

And it also could be a transcript of things which were put to Bingo. --- There was nothing that I wrote down here that he did not say. I mean I did make reference to a couple of things that were put to him that he did not accept and I mentioned that.

O.k. I am only going to put it to you that there was no collaboration between Azapo and the police at all at any stage. --- Well I cannot really respond to that.

I see, and that it would be completely against everything Azapo stands for for there to be any such collaboration. --- If you say so. I cannot comment on that. (2)

That Reverend Maqina whom you referred to was at no stage, nor is he, a member of Azapo. --- He has been associated with - he may not be a formal member of but he has certainly as far as I am aware, been associated with the movement for many years.

I see. Being associated with - by whom? --- In the popular consciousness.

I see. And that whatever was stated by Bingo as answers to questions here was made was stated because he was afraid for his life. --- He did not appear to me to be afraid of his life. (3)

How did you make that assessment? --- Well that is a sort of - it is a negative thing. I mean if someone looks frightened you know - there were no signs that he was afraid of me or Priscilla Hall and there was not anybody else there to be afraid of. We are not very frightening people you know. There were no signs, I know you say he says he was blindfolded and gagged - blindfolded and tied. He was not when we were there. We - I left him alone in a house. That does not look to me like someone who is in fear of his life.

I see. Incidentally he also says that his hands were tied with wire. --- Again as I said yesterday, there was no wire visible. You know I did not look at his hands. I was not suspecting that the man would have been bound and gagged so I certainly did not look for any signs and I did not see any. (1)

I see. I also put it to you that your notes in Annexure A80(2) as well as any information that Bingo gave you is of no help whatsoever to this inquest because he offers no light at all on the killing of the Cradock four. --- That would be an inference that would be impertinent for me to make but ... (INTERVENES) (2)

COURT: Thank you, you are quite correct.

MR MOOSA: I think you have - I put it to you finally that the reasons why you placed this before this inquest are best known to you but do not help this inquest or the struggle that you claim to be part of at all. --- I am not prepared to comment on that.

Thank you. No further questions.

BY THE COURT

Thank you. Mrs Christie can you just tell the Court, you say Anne Burrows took a photo of Bingo. That was in Priscilla Hall's house. --- Yes. (3)

Did / ....

Did she just happen to have this camera with her or what?

--- Yes you see I, although I was a member of the monitoring committee I was not as involved as a lot of the other people. I was busy, I am a single parent and I had a busy job so I did not really go out very much but other people who had more time would sometimes go out to small communities, Riebeeck East or some of the other small towns and take statements and very often take photographs of the informants as well and she had a camera and I cannot remember why she took the photograph. I know that when I took the statement from Mr Ndyawe he had his identity document with him so I said to him you have your ID document, could you just give me your number and I asked Mr Bingo if he had his ID book, he did not have it and Anne said well why do I not take a photograph. It was possibly something like that. (1)

Would this photograph be in the Black Sash archives? ---  
I do not know.

You do not know. --- I do not know what happened to those photographs. I think there was at least two.

Do I understand you correctly that when you or whoever put it to Bingo that he was the treasurer of the local Azazim branch that was only an inference made by you. --- Because he seemed to know an awful lot about the money affairs, money matters. (2)

Now are there any other inferences made by you written in this document or the notes you took? --- I think I will have to go through it quite carefully but so far as I can remember the - I tried to record as accurately as I could what he said and to ... (INTERVENES)

But that is apart from the inferences you made in regard to whether he is an honest witness and all that. --- No, I did not draw ... (INTERVENES) (3)

Was that not an inference made by you? --- Oh certainly

yes / ....



yes. Yes.

And are there any other inferences made by you? --- Yes. Yes on page 2 for instance and I make it clear in brackets at the bottom of the page the - three paragraphs up from the bottom.

But what I mean is the notes you made, was it actually said by him all the time or did you also make a lot of inferences and portrayed it as if he had said it to you? --- Oh no this - hang on I did not quite get what you said there.

I mean he tells you something. --- Yes.

You draw inferences from that and you make notes. --- Oh no, no. No these are the - this is the statement that he made and where ... (INTERVENES)

Verbatim? --- As far as I could get it. You know some of the language like I cannot remember for instance whether he would have said - I am just trying to - every single word that is here and I cannot say that. You know the syntax and the grammar might not have been exactly - but the substance of what he says, what I have written down as having come from him did indeed come from him.

The interview you had with Bingo, was this Phile Nkayi also there? --- He was there for a while, he was certainly there at the beginning and he came in and left you know from time to time but as far as I can remember I do not think that he took part in the actual meeting. It was just Mrs Hall and myself. Anne Burrows was there for a bit and then she left.

Am I wrong in assuming that Bingo must have gone to Nkayi and Nkayi had taken him to Anne Burrows house? --- I do not know.

Where you met them? --- I do not know.

You did not try to find out how did it come about that he went to Priscilla Hall's house? --- He was staying with an aunt

as / ....

as I can remember he was on holiday from Port Elizabeth and he was going to be going back to Port Elizabeth within the next week or so. That is all I know.

Would it have been likely that he would have gone to Nkayi first and Nkayi had taken him to the Black Sash house of Priscilla Hall? --- It could have been like that. I do not know. It could have been.

He was a self-confessed Azapo member according to your notes. --- Yes.

Would it be likely that he will go to the opposition, that is a UDF person and then go to the Black Sash with a UDF person? (1

--- He - what he said during the meeting was that he wanted to get out, o.k.? And he said it in the context of discussing funerals, you know to ... (INTERVENES)

Would it not be dangerous to go to the opposition then? --- Well if he was abandoning his former position yes it would have been o.k. If he was not it would simply be foolhardy. In other words if he was intending to return to Azapo in Port Elizabeth that would have been crazy for him to go to the UDF but what he did say was that he wanted out of Azapo at that time and reference is made to that in the notes where he said, he talked about the funerals and that they had apparently been a couple of ... (INTERVENES) (2

Then he goes to the UDF member, he says here in his notes written by you: "The reason for this move was that one of my close friends and a fellow Azapo member Xolile Tutani(?) had been injured and nearly burnt to death by the UDF members and it seemed to me that my life was in danger." Would you have expected him then to have gone to the UDF? --- He was talking at that stage as I understand it historically about something that had happened some months before and that he - towards the (3

end / ....

end of the meeting he refers to his present position as being different from what it had been earlier in the year and he says that it was hard to get out but one of the ways in which people had made a public declaration was at funerals and he referred as I can remember to incidences where people had stood up at funerals.

Just lastly, do I understand you correctly that quite a few of these notes made by you were based on inferences? --- I have tried to indicate where there are inferences and to make that clear. (1)

Thank you. Any of the other parties wish to re-examine? Have you got anything further perhaps you would like to add to your statement? --- No.

RE-EXAMINATION BY MR CHASKALSON

Could I ask just one or two questions?

COURT: Yes Mr Chaskalson.

MR CHASKALSON: Mrs Christie there has been some question about where inferences have been drawn. I wonder if you would take EXHIBIT A80(2) and let us go down it paragraph by paragraph and you can tell us whether that was a statement or whether that was an inference? "I am 20 years old and my home is 4285 Kwazakele Township, Port Elizabeth." --- That is a statement. (2)

"I went to Kwazakele High School and passed Standard 7 in 1983." --- Statement.

"I was in Standard 8 in 1984 but had not passed." --- A statement.

"I joined Azazim in 1981. I went to meetings and I identified myself with Azazim from 1981 onwards but only formally signed up in 1982 when I got my membership papers." --- Statement. (3)

"Apart from attending meetings of the organisation on a regular basis I was entrusted with the duty of recruiting new members / ....

members into the organisation." --- I think the word entrusted was probably my word rather than his but again I am guessing, you know, that the question of language.

Well let me put it to you differently. When you speak to people and record their statements as an attorney, do you attempt to capture what they are telling you and put it down into words?

--- Yes.

Did you do anything different as far as this was concerned?

--- No I am better at it now than I was in 1985.

All right but apart - you say he may not have used the word entrusted but the sense of the fact that it was his duty to recruit new members, was that statement or inference? --- Yes.

Yes what? A statement? --- Yes a statement.

"The leader of Azazim to whom I had to report was Zanagona Kate. " --- The same.

Yes. Can I ask you this that if there is - if you are not sure whether he would have used a precise word but that the sense was accurately captured call it a statement. --- Ja.

Right. "The formal change from the youth organisation to Azapo came in January of 1985 when I was issued with a new membership card which came from Candy Nkobo(?) in Kwazakele." --- Statement.

"My parents had no idea of my original membership of Azapo as I did not tell them that I was a member of the organisation." --- Statement.

"They are aware of what I am doing at the moment because my sister Andisa who is still at home in Kwazakele brings me clothes and keeps in touch with me and I also go home under cover of darkness from time to time." --- Statement.

"I decided to move out of my house in the middle of March this year. I moved into the house of Mbuyiselo Nchichi(?) in

Njolo / ....

Njolo on about 15 March." --- Statement.

"The reason for this move was that one of my close friends and fellow Azapo member Xolisile Tutani of 4283 Kwazakele had been injured and nearly burnt to death by UDF members and it seemed to me that my life was in danger." --- Statement.

"I and others only stayed at Nchichi's house for one night. The following day we were collected by some of Maqina's gang and taken to his house where I have been staying regularly since then." --- Statement.

"How many people were staying in the house?" --- Well that (1)  
is me.

That is you. Then there is a question mark and then it says: "It is difficult to say clearly how many people were living there permanently or simply most of there time there. I would say there could have been about 150. You see many of us were involved in guarding that house. We were divided into groups of about 30 or 40 in each group. Each group was under the charge of a leader." --- That is a statement as is the rest of that page.

As is the rest of that page, right. On the next page. --- (2)  
But if you go down ... (INTERVENES)

Would you go down the page yourself and look at it carefully and tell me if there is anything in that page which you would regard as being comment rather than statement? --- If you go to Sipho Hashe.

Yes? --- I think that there must have been a question in there, you know, "Is he related to? Yes there is." You see, but I mean there is no - that is still at the level of statement. So we go down to the second half of the page where there is that hands "Q" o.k.? (30)

COURT: Sorry to interrupt. Just clarify "Vulile Madumela",  
there / ....

there is something written in brackets there. --- He is not a full member of Azapo, he is Ernest's brother.

What is that now? --- That is him. That is not comment. That would have been the statement by Bingo. So then there is a question from me: "How could you receive the slip if you were living at Magina's house and not going home?" O.k.? Then his answer, then the third last paragraph beginning "This story is ..." down to the word or the phrase "post office slip". That is a mixture. He volunteered that the amount of money was written on the outside of the post office slip. It is not his word, o.k.?

MR CHASKALSON: So that is partly comment? --- Partly comment and the bit "the amount of money was written on the outside" that is his statement and the bit that immediately precedes that is speculation.

O.k. anything else on that page? --- No.

Go to the next page. --- Then from the word "Bingo" first paragraph to the word "denied" is inference and his denial of that inference.

So in other words it is you that - it reflects something which was put to him and denied by him. --- Yes.

And you have recorded it there. --- As such.

As such. Right. Go down the rest of the page. --- Ja. Then ... (INTERVENES)

COURT: No but then you put there missions. Did he tell you to write down missions or what? Missions. --- Missions?

Did you then step up and say let us talk about missions now? --- I cannot remember. I cannot remember. It might have been just simply that as I was writing, you know, I put down missions and I cannot remember, you know.

O.k.

MR CHASKALSON: Can I put it this way? There are a number of chapter headings which appear on that. --- Yes.

Would those chapter headings have been - what purpose would they have served? --- Simply to reflect a different subject matter.

Yes. --- I cannot remember now.

Yes. --- Whether - how that happened.

Yes. Then you get, it starts off: "The first mission I went on was to Mrs Maqina's house." Would he have used the word mission or not? --- Yes, yes. He and Ndyawe both used the word mission. (1

Right. Go on down with the page looking at ... (INTERVENES)  
--- I think Ndyawe even used it in Xhosa, they have the word mission, mission.

C6 Go down that page ... (END OF TAPE - NEW TAPE STARTS). ---  
The part beginning "various improbabilities".

That again is apparently a comment of your own. --- Yes down to the end of that paragraph and then the words "rather unconvincingly" is clear, you know, editorial in a comment.

Go on to the next page. --- The second half of the page after the list of names there is a sentence beginning "Bingo does not suggest that the petrol bombs came from the police. He concedes ..." and so on. I think that first sentence is my comment rather than his, o.k.? And ... (INTERVENES) (2

I think you have already drawn attention previously to the white powder incident yes. --- Yes, the mix, ja, ja. The middle of page 5 that bit in brackets "has not previously mentioned Sensei" I do not know whether he said that was a nickname or I say that is a nickname. I do not remember anymore. (3

Right. --- I do not think there is any further comment on that page.

Go down to the bottom. --- Until we get to the bottom.

Yes to the bottom, right. --- It was at this point that the improbabilities of the Minibus emerged.

Right? --- Now that is a mixture there.

Go down the next page, page 6. --- He seems - towards the bottom of the page - he seems to suggest although no details given. That is obviously, you know, a comment given by - a comment by me.

Right. --- Under the word "parade" on page 7 no details given of time being questioned, not available, o.k.?

Right. --- And then the bit - paragraph entitled "Notes" in the middle of page 7. This is on its own worthless. Nobody identified and so on. That is obviously comment. And then on page 8 the first three lines are clearly me and then the last half of page 8 obviously.

Yes. --- O.k.?

I have no further questions, thank you.

COURT: Just by the Court on this, it appears to me that this was an organised way of questioning a person. These headings, was it a pro forma type of questioning you do? --- No not at all. Not pro forma at all.

But was his thoughts actually organised that well that he could under each heading carry on like that? --- I could have - I do not remember how it went but no, it would have been ...  
(INTERVENES)

I mean normally should you talk about say for argument's sake Azapo, "impimpi", etcetera you will carry on and then later on if you want to talk about that again will you make another heading, the same heading again? --- Oh I see what you mean. If you get back to the same topic later on during the course of the day.

Yes / ....



Yes, yes because this seems to have been done organised.

--- No but I would have asked him and I cannot remember Your Worship exactly how the questioning went but as I can remember it was - you know there were not fixed points on a schedule each of which would be put to him but there was an attempt to have some order.

Yes you see I just take the last one here, the second-last one basically on page 7. Cradock possible connection. Then he tells you his version and then suddenly it goes over to missions with ASDF. Did he come out with that on his own or was he actually prompted to talk about missions like this? --- I cannot, you know, I cannot remember what - whether everything was in response to a question from me but very likely I did ask him whether there were any missions that he went on. I cannot remember now.

So it would appear to have been an organised line of questioning by you? --- Well what do you mean by an organised?

Well considering all the different headings. --- The headings are just simply my rough - you know when I am taking notes to put down a heading rather than numbering a paragraph. (2)

But after the Cradock possible connection now one would assume that he is finished talking now because he is questioned about the Cradock killings now. How does it come about that he talks about missions with the SADF then? --- I do not know. I am sorry, I do not know. I cannot remember. I do not know.

Because that would indicate to me that he must have been well organised, his thoughts, to have given it like this to you or am I wrong? --- I do not know how it went. I cannot remember.

Thank you. (3)

MR CHASKALSON: Could I get clarity on one thing Your Worship?

COURT: Yes.

RE-EXAMINATION BY MR CHASKALSON

Those chapter headings, did you have a list of chapter headings? Were those chapter headings put in while you were typing the statement as an editing device or were they things which you had before from which you were working? --- As far as I can remember they were handwritten in the notes. I do not think that - I do not think I as it were cut up the notes to get them into a coherent story.

COURT: Various compartments then. --- You know what I mean? (I

Yes. --- I mean I did not - I typed them out as - you know, sequentially.

Thank you. You may be excused Mrs Christie.

NO FURTHER QUESTIONS

COURT: Well it is nearly eleven o' clock. I think we can adjourn until quarter past eleven.

COURT ADJOURNS - COURT RESUMES

COURT: I just want to put on record that this morning I indicated to Mr Hodgen that I would like to have further proof of I think it's Zolile Njola that he was actually in prison at the time of the alleged killings and this has in the meantime been supplied to me by means of affidavit. I trust all the parties concerned were given a copy or at least know what the contents of it is. (:

MR CHASKALSON: We have been given a copy yes.

COURT: Is that correct Mr Nepgen?

MR NEPGEN: We have a copy. That is correct Your Worship.

COURT: And I did indicate that I would like to hear oral evidence given by, if I am correct.

MR HODGEN: Your Worship perhaps I could assist the Court Your Worship. It was Lunga Noyika Your Worship. (:

COURT: Lunga Noyika to whom an alleged confession was made

by / ....

by Zolile Njola as to his participation in the actual killings together with other people. However, in view of the fact that it is quite obvious from the affidavits I have received in the meantime that he was in prison at the time and obviously he must have made a false confession in this regard I am of the opinion that I should dispense with the hearing of the evidence of these two long-term prisoners. I trust it is agreed to by all parties here. Would that be in order?

MR CHASKALSON: We would have no objection to that at all.

MR MOOSA: No objection. (1)

COURT: Mr Moosa, Mr Nepgen?

MR NEPGEN: No objection either.

COURT: Very well. Under those circumstances I dispense with the hearing of oral evidence. Their affidavits can just be handed in to Court perhaps with a brief summary if you wish to put it on record.

MR HODGEN: Your Worship in the circumstances I deal immediately with the statements of Kwanele Headman Lungu, A74. This pertains to an alleged report by the person Zolile Njola to the Lungu about the alleged killing of the deceased in this matter. I hand in A74 and the statement of Dambile Noyika A75 who is the other prisoner who was allegedly in the cell when the statement by Zolile Njola was allegedly made relating to the killing of the deceased in this matter. Your Worship I also have the statement of the person second in command at North End Prison, Marius Lamont. Your Worship if this may be A128. (2)

COURT: Yes.

MR HODGEN: Who quite clearly states that Zolile Njola was detained at North End Prison. He says that not only was he detained there according to records but that he had personal knowledge of the detention of this prisoner, that the prisoner did not (3)

escape / ....

escape or did not leave the prison during the period in question.

Your Worship I hand in the original affidavit and annexures

A128.

COURT: Thank you.

MR HODGEN: Your Worship in the circumstances the following witness to be called on the direction of the Court is Mr Mazwi Lancelot Bingo.

COURT: He is here in Court - there he is. Yes, just stand up please.

(1

(2

(3

MAZWI LANCELOT BINGO: d.s.s.

EXAMINATION BY MR HODGEN

Mr Bingo did you make a statement in connection with this matter to the South African Police? --- Yes I did.

Was that statement made to Captain Jonker of the Murder and Robbery Squad? --- Yes I made it to him.

I am going to put the statement now to you. It is statement All3 Your Worship and if the interpreter could interpret it. The statement is in Afrikaans and it begins as follows.

MNR HODGEN LEES DIE VERKLARING AAN DIE GETUIE VOOR (BEWYSSTUK All3)

(1)

MR HODGEN: Did you make the statement which has now been read to you? --- Yes I did.

And is the statement correct? --- Yes it is correct.

You confirm the statement? --- Yes I do.

I just want to ask you one other thing. You mentioned a statement which was read to you by Captain Jonker. I understand your counsel Mr Moosa also says that he has read the statement which in these proceedings is called A80/2. Is that correct?

This is a statement which was allegedly made to a Mrs Christie.

(20)

--- I did not make a statement to ... (INTERVENES)

COURT: No I think the first question was, which was not answered, whether it was read to you by Mr Moosa. That is the first point.

--- Yes it was read to me.

Thank you then it need not be read out again.

MR HODGEN: Thank you Your Worship. And is that the same statement that was read to you A80(2) that you mentioned to Captain Jonker in your statement? --- Yes in the statement that has just been read out as I made it to him.

Thank you Your Worship I ... (INTERVENES)

(30)

COURT: I think you are talking at cross-purposes here. He

refers / ....

refers to the statement just being read out and the other one has not just been read out.

MR HODGEN: Oh. No, no. I will just clarify that.

COURT: Just clarify it please.

MR HODGEN: In your statement, I will just read it to you again, you said on 1 March 1988, "op 1 Maart 1988 het Kaptein Jonker 'n verklaring aan my voorgelees wat ek na bewering aan 'n sekere witvrou Christie sou gemaak het te Grahamstad. Ek ontken dat ek so 'n verklaring skriftelik of mondelings gemaak het." Is that the same statement that your counsel read out to you? --- Which statement now?

COURT: The one you deny you had made to Mrs Christie or the white woman. --- You mean the one read to me yesterday?

Yes. I presume that is the one. Is that the one Captain Jonker read out to you? Not yesterday, when you made your statement to the Captain. --- Oh it is the same one.

MR HODGEN: Thank you Your Worship. No further questions.

I hand in the original A113.

COURT: Mr Chaskalson?

CROSS-EXAMINATION BY MR CHASKALSON

May it please Your Worship. Mr Bingo are you a member of Azapo? --- Yes I a member of Azapo.

And in July of 1985 when you were taken by force from this house in Grahamstown were you a member of Azapo? --- Yes I was a member of Azapo.

Where did you go to school? --- I beg your pardon?

Where did you go to school? --- It was at Kwazakele.

Yes. --- The last time I was in school in 1983.

While you were at school did you join an organisation called Azazim? --- Yes I did.

And did you go to meetings of Azazim? --- Yes I did.

And / ....

And did you help get other people to join Azazim? --- Yes I did.

And did you later then move from the youth organisation to the senior organisation of Azapo? --- No it was not the youth organisation but a students' organisation. That is what Azazim is.

All right. --- And I then joined Azapo.

And then you joined Azapo. And can you remember who the secretary of Azapo was when you - or in Port Elizabeth was when you joined it? --- Do you mean when I joined Azapo?

Yes. --- No I cannot remember.

Was there a man called Candy Nkobo who was the secretary of Azapo? Was there a member of Azapo called Candy Nkobo? --- Excuse me, may I just get?

N-g-c-o-b-o. --- Thanks a lot. Yes there is a Candice Ngcobo that I know of.

You know him, do you? --- Yes I do.

And will he have something to do with issuing membership cards for Azapo? --- Do you mean then?

Yes. --- No he had nothing to do with the issue of membership cards.

Do you know a - did you know a person the Reverend Maqina? --- Yes I know the Reverend Maqina but not as a member of Azapo. In fact he was a member of an organisation called Roots.

And when was that? --- How do you mean now?

Well you mentioned that he was an organisation, I think you said called Roots. When was that? --- It was about 1982.

And when you were - were you - you told us that you were a member of Azapo in 1985. --- Yes I was a member.

Was the Reverend Maqina - if he was not a member of Azapo at that time did he have contact with the Azapo people at that

time / ....

time?

INTERPRETER: The witness asks that the question be repeated.

MR CHASKALSON: Well first of all you say you know of Reverend Maqina as belonging to an organisation called Roots. --- Yes.

And you told us that you knew of him as being associated with the organisation of Roots in 1982. --- Yes.

Where did Azapo have its offices in Port Elizabeth? --- Azapo offices? Do you mean in 1985?

Yes. --- No I do not think Azapo had offices in 1985.

Did not have any offices? --- No we did not have offices in 1985.

Is that why a lot of the young Azapo people would go to the Reverend Maqina's house at that time? --- Which youth do you mean now?

Well young Azapo people. Were there not a lot of young Azapo people who - well let me go back a bit. In 1985 towards about May was there not a conflict between the UDF and Azapo? --- What month did you say now?

Well let us take June/July. --- Yes there was and it had started late April.

All right and you knew about that. --- Yes I did.

And at the time of that conflict were there not a lot of young Azapo people who took refuge at the Reverend Maqina's house? --- Azapo people?

Yes. --- Yes there were.

I would like to - you know when you gave evidence this morning when you started your evidence you confirmed your statement to the police. --- Yes.

Now in your statement to the police you said: "Ek is nie 'n lid van die UDF of Azapo nie." Now you have just told us that you were a member of Azapo. --- See I did not know the

people / .....



people who had caught me and I told them that I was not a member of Azapo.

Yes. --- In defence of my life.

I understand that but I am asking you why you told the police you were not a member of Azapo or were you afraid of the police?

--- Yes I was afraid of them as well.

You were afraid of the police? --- Yes.

So you lied to the police? --- I did not say I was a member of Azapo to the police.

You said you were not a member. You lied to the police. (1  
You said you were not a member of Azapo. Is that right? ---  
Yes I told them that I was not a member of Azapo.

Now why did you tell them a lie? --- In fact I was afraid of the police as well and did not own up to them that I was a member of Azapo, which is a political organisation, and I was afraid they would detain me.

You also in your statement said: "Ek ken ook nie vir Eerwaarde Magina van Azapo nie." --- Correct, I do not know Reverend Magina as a member of Azapo.

But you do know the Reverend Magina. --- Yes I do know him. (2

Then why did you not say to the police I know the Reverend Magina but I do not know that he is a member of Azapo. --- No I told the police that I did not know the Reverend Magina as a member of Azapo. In fact I knew him but not as a member of Azapo.

But your statement says: "Ek ken ook nie vir Eerwaarde Magina van Azapo nie." That is something quite different. --- No I told the police straightforwardly that I did not know Magina as a member of Azapo.

Did you tell them that you knew Magina? --- Yes that I knew him in fact but not as a member of Azapo. (3

And / ....

And they had written down something which means something quite different. --- Yes.

Now can you explain why they wrote it down that way? --- I cannot explain that. They were writing down and they only asked me questions.

You say in your statement to the police that this group of people came to the house, I think it was in Grahamstown where you were staying, I think it was your aunt's house and you were called out and then you were blindfolded and had your hands tied up with wire. --- Yes and it is as it happened. (1)

Yes and then you say that the group wanted to know where Goniwe was. --- Yes they wanted to know where Goniwe was.

But you knew Goniwe was dead, did you not? --- Do you mean when these young men caught me?

Yes. --- Yes I had read in the papers that he was dead.

Well what did you say to them? --- Well I told them that I had no knowledge of Goniwe and the others but they forced it onto me saying that I should know, I was supposed to know as a member of Azapo, the organisation that had killed them.

Why did you not say to them Goniwe is dead when they asked you where he was? --- Yes but they were asking where he was and I told them I did not know. (2)

Why did you not say to them but he is dead, you know he is dead, everybody knows he is dead? --- They knew that even when they were asking me about it hence I replied to their question in that way.

But you say that the group asked you where is Goniwe and your answer was I do not know. Why should that have happened? Can you not explain? --- I cannot explain.

Cannot explain. (3)

COURT: Just a second. Did they ask you where Goniwe was or did they ask you where Goniwe's body was? --- They asked me

where / ....

where Goniwe and others' bodies were and I told them I did not know.

But why would they ask that if they had known that he was dead already? You cannot answer that. Yes, carry on Mr Chaskalson

MR CHASKALSON: Now when you say you were taken to - later you tell of being taken to a house where two white women asked you questions. --- Yes that is correct.

And you say in your statement to the police that when you got there you were blindfolded and your hands were bound. --- Yes. (1

And you say that one of the women - or asked for your hands to be loosened, for the wire to be taken - were your hands bound with wire? --- Yes with wire.

And that one of the women asked or both of the women asked that your - I do not know whether it is one or both of them - asked for your hands to be untied. --- Yes.

And then a photograph was taken of you. --- Yes.

And then ... (INTERVENES) --- My face was photographed as well as the weals on my back where I had been struck.

So the women photographed your back as well? --- Yes I was asked to turn around so that my back and the weals thereon should be photographed. (2

And then after that had happened were you blindfolded again? --- Yes they blindfolded me again.

And they tied up your hands again? --- Yes sir.

And then you said then the women started asking you questions. --- Yes.

And were you blindfolded whilst the women were asking you questions? --- Yes I was.

And your hands were tied up whilst the women were asking you questions. --- Yes they were bound. (3

And / ....

And did you remain like that all the time that the women were asking you questions? --- Yes I did.

And did the questioning go on for a long time? --- Yes it took a long time.

Now the women - one of the women or the woman who was asking you questions has given evidence here. She says that you were not blindfolded and your hands were not bound. Do you say that she is telling lies? --- Yes she is telling lies. The blindfold was taken off when the photos were taken and thereafter I was blindfolded and my hands were tied again. (1)

And she says that - she has told this Court that you were some hours at that house during the time the questions were being asked of you. Would that be correct? Is that correct? --- I might have spent an hour and 30 minutes there.

And they said that they asked you questions and you gave answers. Is that right? --- No that is not so.

Well tell us, were you not asked questions by the women? --- They did ask me questions which I did not reply to. In fact they were forcing me, leading me on, even these UDF chaps. (2)

Were what you call the UDF chaps, were they with you while the women were asking you questions? --- Yes they were present.

How many of them? --- I could not have counted them as my eyes were blindfolded.

Yes but were there a lot of them? --- Yes there was a number of them.

And were they with you while the women were asking you question. --- Yes they were with me.

And were they and the women pushing you into giving information? --- Yes they were pushing me into giving information. (3)

But did you refuse to give the information or not? --- I did not give any information.

So / ....

So you just refused to answer the questions from the women and these UDF people? --- Yes I did not admit what they were forcing me to admit to.

So how - sorry. --- Because I knew nothing of it.

So that for over an hour you were blindfolded with your hands tied up in front of these UDF people and the women while they were forcing you to say something and you kept saying I do not know anything? --- Yes that is correct.

Now I just want to ask you a little bit about Azapo. Is there someone called Stanley Matumela who is a member of Azapo? (10  
--- Yes there is a Stanley Matumela who is a member of Azapo.

And is there - there is some other people I would just like to find out of. One Zandile Dyandjie. --- Yes he is also a member of Azapo.

And somebody called Xolisile Tutani(?)? --- I know of Xolisile Tutani.

Yes that is the man I am thinking of. Somebody called Lefty? Do you know someone called Lefty?

COURT: Yes Lefty. --- Lefty?

MR CHASKALSON: Solwandle. --- Yes I know the Solwandle surname. (20

You know of a Lefty too? --- Is that his name or his nickname?

Well you know as a nickname? --- Yes I know of someone with the nickname Lefty.

Yes and I think there is also somebody called Mbonisi Kase. --- Yes he was a member then.

Yes.

COURT: Mr Chaskalson I am sorry to interrupt. I am perfectly willing to allow all the questions you wish to put.

MR CHASKALSON: Ja all right I will ... (INTERVENES)

COURT: As long as it sticks to the relevancy of the matter. (30

MR CHASKALSON: I understand. Right.

COURT / ....

COURT: After all I am not here to make a finding against any group of people.

MR CHASKALSON: I understand what Your Worship is saying to me.

COURT: I appreciate that you want to put to this witness that he did make the statement to Mrs Christie but assuming I do find that it did in fact occur does it take the matter any further?

MR CHASKALSON: Ja. Fortunately ... (INTERVENES)

COURT: Because I must determine the identity of the killer or killers and not the identity of the group. (1)

MR CHASKALSON: I agree completely with what Your Worship is saying.

COURT: Thank you.

MR CHASKALSON: No I just must then put this - I must put something to you, is that all these are names which are mentioned in - Mrs Christie says that she wrote down what you told her and all these names were mentioned in the statement that she wrote down. You say you did not give her that information? --- Would you mind showing that to me? (2)

Well let us leave that for a moment. Do you say that you did not mention any of those names to Mrs Christie? --- I was forced by them to give them names, a list of ten names of members of Azapo and in defence of my life and seeing as they were forcing me I gave them the names of those people who stayed in my neighbourhood.

You know that is not what you told us earlier but it does not matter. Let me put something else, different to you. In your statement to the police when they read those names out to you you said you do not know the persons who had been mentioned in that statement. --- No even in my statement to the police I mentioned that the people there forced me to give them ten names / .... (3)

names of members of Azapo and I did so. That is even in my statement to the police.

Well it is not there you know and in your statement to the police what is written down is: "Ek ken ook nie die persone wie vermeld word in die verklaring nie." --- No I said I knew the people otherwise it was when I was being forced to give ten names of members of Azapo.

But you told us earlier you lied to the police because you were afraid of them. --- But I did not lie to them concerning this point and I think this point is clearer than the preceding one. (1)

And you told us that you had lied to the people you saw in Grahamstown because you were bound and tied up and that you were threatened with your life so you had to tell them something. --- But I am not telling lies about how I put this to the police.

And when you were asked to confirm your statement this morning you confirmed everything that had been read out to you. That is your police statement. Were you afraid when you gave evidence this morning as well? --- No I was not afraid. (2)

COURT: Anything further?

MR CHASKALSON: I am finished, I am sorry Your Worship.

COURT: Mr Nepgen?

EXAMINATION BY MR NEPGEN

In the statement that was read to you this morning you conclude by saying that you do not know who murdered Mr Goniwe and the other members of the UDF. --- Yes that is correct.

Is it correct that you do not know? --- No I do not know who murdered them.

Thank you.

COURT: Thank you. Mr Moosa? (3)

EXAMINATION BY MR MOOSA

You / ....

You have already told us that you are a member of Azapo and were in 1985. Is that right? --- Yes.

And is it correct that the one thing you do know is that Azapo had nothing to do with the killing of Goniwe and the other three people from Cradock? --- Correct. I know nothing.

Thank you. No further questions.

COURT: Any - perhaps any questions you would like? No re-examination. Is there perhaps anything else you would like to add to your evidence or detract from? --- There is one thing I would like to emphasise and state clearly here. The fact (1) that there was supposed to have been said that Azapo worked in co-operation with whites or the police, Azapo has no contact with whites. Even in its constitution it has been stated: "No collaboration with whites and their - with the oppressor and their instruments." I have done my best to render the quotation as it were.

Yes. Thank you Mr Bingo, you may step down.

NO FURTHER QUESTIONS

COURT: I suppose this is as far as we can go today then?

MR HODGEN: Yes Your Worship the next witness is the Reverend (2) Maqina.

COURT: Will you have him here on Tuesday then?

MR HODGEN: Your Worship we can have him, ja, on Tuesday morning, yes Your Worship.

COURT: As far as you know has he anyone appearing on his behalf on Tuesday?

MR HODGEN: He originally had a lawyer, a Mrs Dolly Mogatle. She is apparently according to Mr Moosa, My Learned Friend Mr Moosa, she has apparently withdrawn and I understand again from Mr Moosa that relatives of Reverend Maqina are trying to arrange (3) a legal representative for him at the next appearance.

COURT / ....



COURT: Well he has had enough time up to now and up till Tuesday if there is no appearance for him these proceedings have got to continue in any case.

MR HODGEN: As the Court pleases.

COURT: With or without so they must convey that to him.

MR HODGEN: I will have that also conveyed through my channels.

COURT: Thank you. Yes Mr?

MR MOOSA: Your Worship there is one matter which I would like to raise. Looking at the Eastern Cape Herald this morning we find the headline of an article on the front page: "Azapo and the South African Police collaborated a Port Elizabeth inquest told" and the reporter is a Court reporter, one Nkwindisi Saliso(?). The opening paragraph is evidence by two members of the Azanian Peoples' Organisation of collaboration between Azapo and the South African Police was heard yesterday at the inquest on four United Democratic Front activists. I would like to say Your Worship that this does not reflect what actually happened in this Court yesterday and I would like Your Worship to make ...

(INTERVENES)

COURT: Do they mention the rest of the statements made by them, etcetera?

MR MOOSA: Your Worship basically the article goes into statements which are available on the record.

COURT: Yes. Well in any case if there is anything you would like them to have printed to set this thing right you must talk to them and see what you can do about it.

MR MOOSA: Your Worship I thought maybe it was necessary for the Court to make it clear that the record should be accurate.

COURT: No I cannot tell them how they must - thank you very much. The Court adjourns then.

COURT ADJOURNS

DECEASED: SPARROW MKONTO  
 SICELo MHLAULI  
 FORT CALATA  
 MATTHEWS GONIWE

---

MZWANDILE EBENEZER MQINA, sworn states: (Speaks Xhosa):

EXAMINATION BY MR HODGEN:

Reverend you made a statement to Captain Jonker of the Murder and Robbery Squad. I intend at this stage to read (10) that statement to you and I will ask you to comment thereon after I have read it to you. The statement is headed with your name Mzwandile Ebenezer Mqina, verklaar in Afrikaans: "Ek woon tans by die bogenoemde adres. Ek het tans saam met ander swartlede aangesluit by 'n nuwe beweging, Ma-Afrika Nasionale Beweging. Ek is ook 'n stigterslid van bogenoemde beweging wat op 16 Desember 1987 gestig is te Port Elizabeth. Hierdie beweging is polities van aard en slegs swartes kan lidmaatskap bekom. Ek is nie 'n lid van Azapo nie, ek was nooit 'n lid van Azapo nie. Tans is daar wel ander lede (20) van Azapo wie by ons nuwe beweging aangesluit het. Ek was voor 1977 'n lid van die B.P.C. en is sedert 1977 tot 1983 onder huisarres geplaas deur Wyle Minister Kruger. As gevolg van bogenoemde feit, het lede van die Azapo na my gekom vir huisvesting en morele ondersteuning. Ek wil graag u net terugneem na 1985. Op 2 Mei 1985 was ek by my huis. So ongeveer 20h00 het 'n groep swartes, lede van die U.D.F. na my gekom en wou weet waar Ncobo Nguna (Azapo se takvoorman) en Mfungosi is. Ek het hulle ingelig dat die twee persone nie daar was nie. Die groep was bewapen en het (30)

/gesê...

gesê dat hulle van nou af Azapo gaan uitwis. Hulle is baie kwaad daar weg. Op 3 Mei 1985 het alle hel losgebars te Njoli Plein, New Brighton, waar U.D.F. en Azapo mekaar aanhoudend aangeval het. Van die Azapo mense het na my huis gekom en gevra dat ek met die U.D.F. se bestuur moet praat oor die gevegte te Njoli Plein. Ek het toe soontoe gery en 5 beseerde Azapo lede met my motor van die toneel via my huis na Livingstone Hospitaal vervoer. Toe ek van die hospitaal gekom het, het meer as h 100 Azapo lede by my huis opgedaag vir hulp en huisvesting. Teen die einde van (10 Mei 1985 het Eerwaarde Soga my uitgenooi na h internasionale kerkdiens wat gehou sou word in die Dan Qege Stadium, Zwide, Port Elizabeth. Hulle het my ook h spreekbeurt belowe. Ek kan nie die presiese dag onthou nie, maar ek het daardie kerkdiens gaan bywoon. Ek was daardie dag vergesel van ongeveer 12 Azapo lede. By die diens het ek vasgestel dat die byeenkoms h klug was en dat dit eintlik h politieke saamtrek van die U.D.F. was. Ek was ook nie h spreekbeurt gegee nie. Net na die diens het h bakleiery tussen die Azapo en U.D.F. uitgebreek. Dit was nie eintlik h bakleiery nie, (20 lede van die U.D.F. het ons sonder rede aangeval. Ek en die ander moet hardloop vir ons lewe. My lewe was gered deur h koerantman en die eienaar van die betrokke Stadium. Ons moes wegjaag het van die Stadium. Twee is ernstig met messe gewond en is deur die polisie gered. h Derde lid van die Azapo is met h Kombi na Redhouse ontvoer waar hy deur lede van die S.A. Weermag van h beplande "necklace" gered is. Sedert daardie dag het die bakleiery orals uitgeslaan in die swartwoonbuurtes. Ek kan nie sê of Goniwe en sy vriende die kerkdiens by Dan Qege Stadium bygewoon het nie. (30 Ek het hulle nie daar gesien nie en ken hulle ook nie. Die

/vete...

vete tussen die Azapo en U.D.F. gaan nog voort. 'n Paar weke gelede was daar weer 'n bakleiery tussen die twee groepe in die Walmerwoonbuurt, Port Elizabeth. Ek ken nie 'n man met die naam Mzondesi Christopher Ndayi nie. Ek het geen opdragte aan enige Azapo lid gegee om U.D.F. lede te vermoor of aan te val nie. Ek sal dit ook nooit doen nie. Indien iemand sou beweer dat ek met die polisie sou saamwerk het teen die U.D.F. of nog steeds saamwerk, lieg hy of sy. Die polisie het (einde van kasset nr. 6).

KASSET NR. 7 BEGIN: ...aanvalle op U.D.F. teikens (10  
gedoen moet word nie. Dit is ook 'n leuen. Ek het nooit op enige stadium petrolbomme, vuurwapens of gevaarlike wapens aan lede van die Azapo oorhandig nie. Ek weet nie eers hoe om 'n petrolbom te maak nie. Die Azapo het nog nooit die S.A. Polisie Weermag betrek met die tweestryd nie. Ek is 'n arm man wie die Evangelie versprei na anders en het op daardie tydstip nie belang gestel in die politiek nie. Die Azapo lede wie by my ingewoon het, was nie in 'n register ingeskryf of deur my betaal nie. Ek ken nie 'n swartman Monde van Stokwestraat 19, New Brighton nie. Hy is ook nie 'n Azapo (20  
lid nie. Ek wil ook graag meld dat daar tydens die gevegte tussen Azapo en die U.D.F. ander plekke se lede ook betrokke geraak het, byvoorbeeld U.D.F. lede van Kirkwood. Cradock het ook aanvalle plaaslik gedoen ensovoorts. So was dit ook die geval by Azapo. Ek ken vir Butler Tungata wie aan die Veiligheidstak verbonde is. Hierdie lid word deur die U.D.F. gehaat en gevrees weens sy vreesloosheid (onverskrokkendheid). Butler Tungata het nog nooit saam met die Azapo lede gewerk of opgetree in daer teen die U.D.F. nie. Dit is 'n belaglike idee. Ek ken die meeste van die Azapo lede. Ek (30  
ken al die Azapo lede wie by my huis gewoon het. Ek ken nie

/vir...

vir Mzukisi Mazwe, Phindile, Zolile Kota, Andile, Sandi Poswa, Velile Mxoli, Sindile, Kholekile, Toto Langa, Sindile Singala en Zola nie. Hulle het nooit by my huis ingewoon nie. Ek het nog nooit gesien dat enige polisieman h lid van die publiek voor my of in die teenwoordigheid van Azapo mense aanrand nie. Ek het nog nooit in my lewe op of binne h Hippo of kasper voertuig gery nie. Die polisie het ook nog nooit enige PEBCO (dis die affiliaal van die U.D.F.) lede na my huis gebring nie. Ek ken nie vir Goniwe, Calata, Mkonto of Mhlauli nie. Ek het eers van hulle verneem nadat (10 hulle vermoor was. Ek ken ook nie Sipho Mazwe en Vusi Matye nie. Die rede vir die vete tussen die U.D.F. en Azapo kan nog nie honderd persent bepaal word nie. Ek dink dat die vete veroorsaak is weens die feit dat dit twee afsonderlike politieke partye is met die U.D.F. wat die areas wil domineer, dit wil sê beheer wil uitoefen oor Azapo." This statement is then allegedly sworn to and taken at Port Elizabeth on 12 February 1988 by Captain Jonker of the Murder and Robbery Squad. Reverend before I ask you to confirm this statement I understand that you wanted to comment on the reference (20 to "U.D.F. lede van Kirkwood", there's reference to people being brought in from other areas and where the word "Kirkwood" is used. Do you wish to make any comment on that before I ask you to confirm the statement? --- Yes, well that day it was read to me in English, I was not aware that it was written in Afrikaans, but although I had stated that it was common knowledge that members of the Mabuta<sup>?</sup> from other areas were also involved, I never really stated the particular areas and another part perhaps also is that Ncobo Ngunu was a former branch chairman of Azapo and also that (30 although I do not know the date of the service, the day was

/Sunday...

Sunday.

It was a Sunday, the service. --- Sunday.

Yes. --- And it does not really (Indistinct) here, but the marshalls were there of U.D.F. ushering the people instead of church stewards, but it was a service. At least to those that I can (interrupted)

In other respects you then confirm your statement? --- Yes.

Your Worship I then hand in the statement A.112.

QUESTIONS BY MR CHASKALSON:

(10

Reverend Mqina is it correct that you are presently in detention? --- Correct.

You - is it correct too that you are actively involved in politics? --- Correct.

And is you - the group you are now with is that called Ma-Afrika? --- Ma-Afrika National Movement.

I just want to understand a little bit, is it correct that you regard that as the voice of moderate black people? --- I cannot say so.

Have you never said so? --- No, I have never said so. (20

Do you regard Ma-Afrika - well then do you not regard Ma-Afrika then as a moderate group? --- No, I do not.

Have you ever issued statements to the press saying that that is what Ma-Afrika is? --- No, that is not my attitude.

All right. Let me move away to something else for the moment Reverend Mqina, I may come back to this later because there are some curious things associated with your present detention, but you say that you were never a member of Azapo? --- No, I was not a member of Azapo.

But is it not right that at the beginning of May you were (3 quoted frequently in the press as being a member of the Azapo

/executive...

executive and as issuing statements on behalf of Azapo?

--- You know the newspaper people did that even though at all times I explained to them that I am not a member of Azapo.

But did you in fact issue statements at the time? --- Yes, there were.

And those statements represented you to be issuing them on behalf of Azapo? --- At all times they tended to do that.

And did you - was there ever any public disavowal of the fact that you were not authorised by Azapo to issue these (1) statements? --- Fortunately they released a press statement to the effect that I am not a member of Azapo but only the owner of the house.

You say that statement was issued? --- Yes, it was released.

Well were you not actually at a stage after May or June of 1985 expelled by Azapo? --- That was in January 1986 and I even explained that.

You mean you were expelled from Azapo though you were not a member of Azapo? --- Correct, and I explained that. (20

All right, but this a - let me just step back again to the beginning of May of 1985. You mentioned a group of persons coming to your house on 2 May. --- Correct.

And do you remember that on that day there had been a report in the newspapers that the house of Mr Edgar Ngoyi the president of the Eastern Cape Committee of the United Democratic Front, that his house had been petrol bombed on the night of 1 May? --- I do recall reading such a report in the paper but I cannot say whether it was supposed to have taken place on 1 May. (30

And is it correct that at about that time there were

/reports...

reports of a - talking now about the first week in May - reports about petrol bombings of leaders' houses such as Mr Fazzie of the U.D.F. and Mr Malgas of one of the U.D.F. affiliates, PEBCO? --- I do know about reports of that nature. I do know.

Yes, and there were also reports when (interrupted) --- About reports of that nature but I am not sure whether it was supposed to have been done on 1 May.

No, I said that Mr Ngoyi was 1 May and the others were in the first week of May, but let us not worry about the (10 dates for the moment Reverend Mqina, at about the same time there were also reports of petrol bombings of Azapo houses? --- Correct.

And at about that time too leaders of the Azapo and leaders of the U.D.F. were calling upon their supporters not to fight each other? --- Correct.

But the fighting went on? --- Correct.

And I think about that time there were also false pamphlets which were issued in the names of Azapo and the U.D.F. which were subsequently disowned by both the (20 organisations. --- There were such press releases in the newspapers.

You mean of reports of that false pamphlets are being distributed? --- Correct.

And was it your impression that at the time the leaders were calling for a truce that there was really a campaign of disinformation going on which was keeping the conflict going? --- At all times especially those Azapo members or leaders who were with me were doing their utmost to achieve peace. (30

No, but my question to you was it your impression that

/whilst...



whilst there were these appeals for truce that there was at the same time a campaign of disinformation going on which was stirring up the conflict?

COURT: Mr Chaskalson what are these questions leading up to? I am not quite sure.

MR CHASKALSON: I am trying to establish the role of this person at the time and what he has said at the time and what he has said since.

COURT: But for what purpose?

MR CHASKALSON: To try and establish the background to this (10 conflict. He has made an affidavit (interrupted)

COURT: Well assuming you establish the background of the conflict, what then?

MR CHASKALSON: Well I think it will be (interrupted)

COURT: The real issue here is to establish, for this Court to determine the true identity of the killer or killers.

MR CHASKALSON: Yes, part of your inquiry is to establish the circumstances surrounding the death, it is a very important part of the inquiry and it is very important to know the circumstances in which it occurred so as that a (20 (interrupted)

COURT: I am not required to make a finding on that.

MR CHASKALSON: Well you have to have - as I understand what the cases have said, the purpose of an inquest is to undertake a full inquiry into the circumstances of a death so that the public should know what has happened and that those circumstances should be publicly investigated and that the deaths can be seen in the context of those circumstances and out of that you will then look at all the evidence and decide whether you can see whether any parti- (30 cular individual is responsible or whether there are any

/further...

further enquiries should be undertaken or whether there is something which can be done to lead to the identification and a solution of the crime. That is the whole reason for an inquest.

COURT: I will allow you to carry on for a while on this line of questioning but I will come inbetween frequently if you carry on at length on this aspect.

MR CHASKALSON: I have no intention of carrying on at length.

COURT: Thank you very much.

MR CHASKALSON: I think Your Worship would have realised (10 that is not my purpose.

COURT: Thank you.

MR CHASKALSON: Reverend Mqina let us look at your own position at that time. A lot of young people from the Azapo side came to your house. --- The leadership and the youth and some followers were at my house.

Yes, would it be right to say that there was a group of about a hundred people who had assembled at your house? --- Correct, at one stage we counted a hundred and ten.

Yes, and I suppose that is why the press would be (20 turning to you for information because in a sense you were at the centre of this conflict at that time? --- Correct

Now did Azapo have a branch in Cradock? --- I do not know.

You do not really know anything at all about the presence or absence of Azapo in Cradock, do you? --- No, I do not.

And if I were to put it to you that there was never any conflict between Azapo and the U.D.F. in Cradock you would not deny that? --- I would not deny it.

How did it come about that Cradock and Kirkwood got (30 mentioned in your statement to the police? --- It was already

common knowledge and usual that people from other places come to Port Elizabeth and help out but as I have already explained here I did not point out certain places.

So that was not - you say that, that was a mistake that crept into your statement, the reference to Cradock and Kirkwood? --- Yes, from the one who wrote it down.

It was also a mistake to say that there was as it were attacks between the U.D.F. and or if your statement means that there were attacks between the U.D.F. and Azapo in Cradock that is not right? --- Even if it is mentioned I (10 did not say it.

You did not say it. Now you in a sense were seen rightly or wrongly as a leader of the group that had gathered around you at your house in Port Elizabeth? --- Correct.

And rightly or wrongly there were rumours that you were associated in some way with the attacks which were taking place? --- Here in Port Elizabeth?

Yes. --- Correct.

Yes. --- At all times it was being said Azapo am I.

And at the time you were issuing statements, I think (20 you told us, calling for peace between the U.D.F. and Azapo, is that correct? --- Correct.

And you also, I think, at that time were issuing statements saying that a third force was responsible for the attacks which were taking place.

COURT: Where is that Mr Chaskalson?

MR CHASKALSON: In the press.

COURT: Did you say so to the press? --- I recall giving such a press release to a paper or magazine called Probe, that there could possibly be a third force involved because we (30 as Azapo had not done those things.

/Yes...

Yes?

MR CHASKALSON: So all you were saying was that whoever had attacked the U.D.F. it was not the Azapo people? --- With regard to what was happening then and I would then say Azapo did not do it.

Now you gave your - did you read in the newspapers that after the death of Mr Goniwe and the three other people who were with him, that there was a statement attributable to the, I think it was a Colonel Strydom, that Azapo was responsible for the deaths? --- I do recall the statement (10) but as far as I can remember the Colonel did not seem to be certain. If I remember correctly he said it could be Azapo.

I see, and you made the statement to the police that is relevant to the evidence you are now giving, on 12 February 1988, is that right? --- Correct.

Is it correct that there were no searches of your house immediately following the discovery of the bodies of Mr Goniwe and the others? The police did not come and search your house? --- The police conducted searches before and (20) after that, at all times and not even the police only, even members of the South African Defence Force.

When was that? --- From the beginning of the feud when these people were at my house, the police repeatedly came to search my house and even after they had left, the police came to search.

That was May and June? --- At all times, yes.

COURT: Even after the killings? --- Even after the killings, yes.

Yes Mr Chaskalson?

(30)

MR CHASKALSON: So your house was searched after the killings?

/It...

--- It was searched all the time.

All the time, and the young people who were at your house, were they also searched? I mean did they remain in your house in July? --- Yes, they did until 1 January 1986.

And you say there were regular searches of your house?  
--- Regular searches, yes.

No guns were found? --- No guns were found.

No bloodstained clothing was found? --- None that I can remember.

COURT: What is he whispering about Mr Interpreter? (10)

INTERPRETER: No, he is telling me to interpret for him from now on.

COURT: Yes, well then you must also tell me that.

INTERPRETER: I beg your (interrupted)

COURT: You cannot have a private discussion there between the two of you. Very well.

INTERPRETER: As it pleases the Court Your Worship.

MR CHASKALSON: Reverend Mqina you know that statements have been made or you know that there were allegations made, attributed to different persons, three different persons, (20 that you were involved in the murders? --- I heard it from the captain who took down my statement when he showed me the affidavits made by those people and in fact he read some extracts therefrom.

I just want to make sure that I understand what you are saying, you say you do not - there is a man called Mr Nyawi that you do not know him at all? --- I did not at all know the names that were read out to me therefrom.

Yes. Do you know a man called Mr Zolile Jola? --- No, I do not. (30

Do you know a man called Mr Bingo? --- No, I do not know /him...

him.

You do not know a Mr Bingo? --- No, I do not know him, and I cannot say whether maybe it is because I only hear his name and I do not see his face.

Yes, I just want to ask you (interrupted) --- For at times one knows the next person's nickname only.

Mqina it is, it is - you say the police showed you or read out portions of the statements to you and you denied them? --- Yes.

I think I should tell you Reverend Mqina that two (10 of the people who have actually come here and given evidence and denied that their statements were correct. I think you should know that, and because of that I do not think I can put any more questions to you Reverend Mqina.

COURT: Thank you. I think this is a convenient time to adjourn until quarter past eleven.

COURT ADJOURNS

COURT RESUMES

WITNESS STILL UNDER OATH

QUESTIONS BY MR NEPGEN:

Mr Mqina there is just one aspect in respect of (120 which I would like to ask you some questions, in an affidavit, which is EXHIBIT A.9 Your Worship, by a Mr Michael Benjamin Coetzee, he refers to a discussion that he had with a Mr Derick Swarts. Do you know either Coetzee or Swarts? --- No, I do not remember them.

Coetzee says in his affidavit that on 26 or 27 June Swarts telephoned him and asked him if Mr Goniwe could use Coetzee's house for a meeting and that Coetzee agreed to this, and in paragraph 6 of that affidavit Coetzee goes on to say that he was informed by Swarts that Mr Goniwe did (30 not want to hold this meeting at the offices of the U.D.F.

/because...

because you at some stage during 1985 threatened Mr Henry Fazzie and others at the offices of the U.D.F. while they were busy with a meeting and in paragraph 7 of that affidavit Mr Coetzee says that you threatened Fazzie because your house had been damaged by handgrenade. Have you finished Mr Interpreter?

INTERPRETER: Yes, I am finished.

MR NEPGEN: Now have you any recollection of such an incident?

--- Yes, I do.

What happened? --- The discussion between Mr Fazzie and (10) I became so heated that there was this quarrel and this use of handgrenades story.

Yes, was this at the offices of the U.D.F.? --- Yes, our offices and those of the U.D.F. are near one another.

When you say our offices to what offices are you referring? --- The offices where I worked.

Yes, but what offices are those? Are you referring to the offices of Azapo or the offices of your church? --- Now those were the offices of the community structure that was meant for the people, not those of Azapo. (20)

And did you in fact utter threats against Fazzie and other members of the U.D.F. who were attending a meeting at that time? --- We were not in a meeting when this happened and there were no threats made there. It was only a heated argument as we were then discussing the feud between Azapo and the U.D.F. and I was with some Azapo members and it was after the grenade attack at my house.

Was this before or after you heard about the death of Mr Goniwe and the other three men? --- I do not recall when this happened in that regard. (30)

You see because in an affidavit by Mr Fazzie which is

/A.8...

A.8, he also refers to an occasion where there was a meeting at Court Chambers and you, he says, and approximately 15 members of Azapo stormed into the meeting, but you wanted to know why your house had been attacked with handgrenades and that you stated that you were going to take revenge.

--- Mr Fazzie is telling a lie. I was with 4 Azapo members. The door to the U.D.F. offices which were opposite ours, was open. They were not holding a meeting but they were just conversing. The talk started easily and about the feud and went onto the grenades. Then it became heated, but (10 there were no threats.

I must, however, point out to you that according to Mr Fazzie this occurred after the death of Mr Goniwe and the other three.

COURT: Can you comment on that? --- It is difficult for me to say when it happened but I am glad to hear of it.

MR NEPGEN: Yes. Just tell me when was your house attacked with grenades? --- I am not in a position to say what month it was, but it was during the feud.

Thank you Your Worship.

(20

COURT: Mr Moosa?

QUESTIONS BY MR MOOSA:

Now Reverend am I right in saying that you do not recall the events, sequence of the events and the actual events very clearly because they happened quite a long time ago?

--- Correct, I cannot.

And this was also the case when you made out your affidavit which was on 12 February 1988? --- Correct, with most of the facts I cannot say.

Am I also right in saying that there are events (30 you mentioned in your affidavit which you only received

/reports...



reports of secondhand or thirdhand. --- Most of what I have stated there is my experience. There might be one or two things where I was not there.

Yes, at Njoli Plain on 3 May 1985 that you referred to, were you there? --- At the onset of the fight I was not there, I was at the office when some Azapo people came to me, told me about the fight and asked me to come along and try to help and when I got to the scene the fighting had already stopped as the police had intervened.

I see. Well my instructions are that there was actually (10 no clash between Azapo and the U.D.F. at Njoli Plain, but what happened was that an Azapo member by the name of Zola was forced by members of the U.D.F. to drink petrol. -- I do remember that incident. I was told about it, but the fighting occurred thereafter.

I see. You see this incident I am talking about happened on 3 May 1985. --- As I said the fighting took place after the incident with Zola and I might be wrong with the date, might have been the next day.

I see. After the incident with Zola which was the (20 start effectively of the clash, there was another day where the fighting really reached a peak, where on the same day an Azapo member, Papi, was attacked, on the same day the two children of Mayekiso, an Azapo member, were burnt to death in their house and on the same day the secretary of the Azapo branch, Nosiphiwe, was attacked in the surgery where she worked. Do you remember that? --- I remember all those incidents.

And am I right in saying all those incidents were reported widely in the press, both locally and nationally? (30 --- Correct.

/Now...

Now you have mentioned in your affidavit that Azapo people came and - that U.D.F. people came and they said that they would fight against Azapo. Do you remember that? --- Yes, they arrived saying they wanted Ncobo and Mafonguzi and they would fight with Azapo.

Were you personally ever threatened as well? --- At that stage they did not threaten me personally, but they ransacked my house.

I see. Would it be right to say that although you (1) were never a member of Azapo at that stage you were looked upon as a sympathiser of Azapo? --- Correct.

My information is around the end of April 1985 Azapo members were told that your home was about to be attacked and they got to your home to defend it, they arrived at night. --- That is correct. Over the Easter, that was on Easter Saturday at one Patata Kani's funeral I was threatened by members of KOSAS and the members of Azapo arrived at my house to see to that but they left thereafter. At that stage there had not yet been a clash between the groups.

I see. Well my information is there was an attack on (2) your house that night which was repelled. --- It might have been on the way to my house but it is difficult to say for on that night there are some U.D.F. youngsters who were found with petrol bombs and they mentioned certain houses to which they were on their way and there was no fight at all.

I see. Well my information goes further that after the attack on your house there was also reports that houses of Azapo members in other parts of the townships were actually burnt down. --- After the onset of the conflict the houses of Azapo members were burnt extensively. (30)

I see. My information goes further that basically it

/was...

was because of the attack on your house and on other houses the feeling that it was safe to be at your house which was strategically located that made Azapo members remain at your house in Masingwana Street. --- Well it was after the onset of the conflict that some Azapo youths fled to my house and I repeat, it was after the conflict had started and it came to light later on that where I stayed was strategically situated and that appeared later on.

You mentioned the meeting called at the Stadium Dan Qege, is it correct to say that Azapo was going to be re- (10 presented there by its national president, then Ismail Makabela? --- That is true, in fact Reverend Soga invited me to the meeting and after he had left, Ismail arrived unexpectedly that evening and we gave the invitation to him.

COURT: Are you still going to be long on this line of questioning?

MR MOOSA: Not very long Your Worship. Just one or two more questions. You say that, or could you tell me how did you go to that meeting at the Stadium? --- We went in 3 ton Isuzu bakkies that were without canopies. (20

I see. My information is that you escaped with your bakkie, that you - yes, that you escaped with your bakkie. --- All of us who had come in the bakkie we were forced to flee when we were attacked and I was not even driving the bakkie, it was driven by a member of Azapo and the said bakkie did not belong to me.

I see. You remember the part where you say that two were injured with knives and were saved by the police? --- Yes, I do.

My information is that one of those people was saved (30 by another Azapo member and the other one saved himself by

/pretending...

pretending to be dead. --- In connection with the one who pretended to be dead, I will tell you hearsay because his report when he arrived was we were attacked and the security police arrived and that is how I was saved. The second one said he was saved by the police as well and the third one was saved by us because as we together with the Azapo were fleeing therefrom we were in this bakkie that had no canopy and some fell off and we stopped the bakkie.

I see. With regard to the third one I assume that is the one who was about to be necklaced? --- No, that is (10 totally not so. In fact your question reminded me that there was a third one who fell off and we stopped the bakkie, picked him up before anything had been done to him.

I see, it's the 3rd person (interrupted) -- Besides the one who was about to be necklaced.

Is the third person you did not mention in your affidavit? --- Yes.

I see. With regard to the person who was about to be necklaced, my instructions are that he first managed to get free and then the U.D.F. members chased him and as they (20 were chasing him a Casspir came past and they ran away. --- Fortunately I think that person made a press statement about the incident. His report was he was found and taken per Kombi to the vicinity of Redhouse and at the stage when they already had a tyre around his neck and his feet they realised that there was no petrol, and at that stage it was necessary for the others to go back and get petrol, while the others were keeping him there. A Buffalo, a Casspir, which was passing by, arrived without knowing that they were there and the others then panicked and ran away and that is how he was (30 saved.

/Thank...

Thank you. --- That is the story he gave to us.

Thank you, those are my instructions. Finally on this aspect with regard to your expulsion, do you remember that you were supposed to give evidence in the case of the person who was supposed to throw a grenade into your house, one Mazansana? --- I do remember.

I see. Azapo had - by that time would you agree that your name had been in the public eye, rightly or wrongly, been associated with Azapo? --- That was the public opinion, yes. (10

I see, so rightly or wrongly Azapo decided that the best way to disassociate you from it would be to expel you? --- That might be what they say but the handgrenade incident took place in June/July and they left my house in January the following year after I had asked them to leave.

I see. The instructions I have is really the practical effect of the expulsion was for them to leave your house. --- I called Mr Ngoyena, the U.D.F. executive, to my house on 1 January and pleaded with them that I had been staying in an unusual way at my house for quite some time now, so (20 would they please allow the youngsters to go back to their places and at that stage they agreed to that and there was no bad blood between either the U.D.F., Azapo and myself.

I see. Would it be correct to say from the time that people came to your house to 1 January that all members of Azapo and Azasum in the Port Elizabeth area really coalesced at your house? --- Correct.

And you have already told us that there were frequent searches by both the police and the Defence Force of your house? --- Correct. (30

And at no stage did the police or the Defence Force find /any...

any bloodstained knives, clothes or guns, is that right?

--- Correct.

And that would be so even after the killing of the Cradock four? --- Correct.

Thank you, no further questions.

QUESTIONS BY THE COURT:

Am I correct in my conclusion that for all practical purposes during 1985 Azapo and U.D.F. were at war with one another? --- Correct.

Is there anything you would like to add to or detract (10 from your statement and evidence given by you? --- Nothing.

NO FURTHER QUESTIONS

MR HODGEN: As the Court pleases, Your Worship as the Court has directed, there are three further affidavits to be submitted into court formally. They are A.129, a statement by Mrs Nomonde Sheila Yiza Calata, regarding the wedding ring that had been on her deceased husband's hand when he left. Your Worship I hand in Affidavit A.129. Your Worship then two further statements, one A.130, a further affidavit by Warrant Officer Stephanus Johannes Els in which he in- (20 dicates there are 717 Gavarm firearms in South Africa according to police records. Your Worship I hand in A130, and attached to that statement was a further affidavit by - numbered A.131, by Angus McCabe, dealing with the examination of the deceased's vehicle.

COURT: Yes, thank you.

MR HODGEN: Your Worship I may indicate that the handing in of these affidavits completes the evidence as indicated by the Court should be led before this inquest inquiry.

COURT: Yes, thank you. I will now give an opportunity (30 for an address. I trust it will be brief Gentlemen.

/Mr Chaskalson...

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N/15270  
MR CHASKALSON ADDRESSES COURT: Yes, I shan't be long.

Your Worship in the case of TIMOL Your Worship will know that it was said that for the administration of justice to be complete and to instill confidence, it was necessary amongst other things that there should be an official investigation in every case where a person had died of unnatural causes and it was also said that the inquest must be so thorough that the public and the interested parties are satisfied that there has been a full and fair investigation into the circumstances of the death. (10

Now Your Worship we have spent some days hearing evidence and we have before us a substantial number of affidavits and an important part of the process of the full investigation is to examine those affidavits and to refer to the evidence to determine the circumstances of the death and whether the circumstances point to who was responsible for the death and I propose briefly to review the evidence to show the picture that is disclosed by the affidavits and also Your Worship refer briefly to what has happened in court.

Now it is apparent Your Worship that on 27 June the (20 four people from Craïcock left on the morning to attend a U.D.F. meeting in Port Elizabeth. The affidavits show that they were in the habit of going or at any rate Mr Goniwe was in the habit of going once a week on a Wednesday to Port Elizabeth for a meeting, but on this particular occasion in that week, the week of 27 June, he did not go on a Wednesday which would have been 26 June. He did not go because the meeting could not be held that Wednesday and it had been arranged that he would see Mr Swarts at a time to be arranged and that time was arranged for the 27th and so (30 it was an unusual meeting. We know that the phone call at

/which...

which Mr Goniwe made the arrangement or at any rate communicated to Mr Swarts that he was going to see him that day, was kept and we know that in the morning he was in communication with Mr Swarts and informed him that he would be seeing him later that day. We know that he was seen at Cookhouse during the course of the travel and we know that he arrived at the U.D.F. offices at approximately 3.15 p.m. That appears from the Fazzie's affidavit, which is A.8. We know that he arrived at Mr Coetzee's house at about 6.00 p.m. and we know that he left Mr Coetzee's house at approximately (10 9:00 p.m. Two times have been given, one as 9:00 o'clock, one as ten past nine and clearly nothing turns on that. We know that Mr Coetzee - we know the approximate time of departure. We know also that it was suggested to him that he should stay over but he said that he would not do so and that he indicated that he would not stop on the road for anybody other than the police or traffic officials.

So those are the bare facts of the movements on 27 June and the events of 27 June.

Now it seems perfectly clear from all the evidence, (20 and I think I shall be able to demonstrate that from the circumstances of the killings themselves, that the political background of the people from Cradock played an important part in the events and that this was indeed a politically motivated murder.

The background is really this. We know that Mr Goniwe was the founder of CRADORA or a founder of CRADORA. We know that he was a school teacher and that he had been actively involved in local politics in Cradock. That he had been transferred to Graaff Reinet. The Cradock residents had (30 been opposed to that move. That he had then been detained

/for...



for several months. That in the wake of the detention there had been a long school boycott. We know that he was the "platteland" organiser of the U.D.F. All this information we will find in the affidavits of Mr Alex Goniwe, which is A.9, and Mr Swarts, whose affidavit is A.10. We know that he was a well known political activist. That his phone was tapped, that his car was regularly followed and that he himself had been kept under surveillance and interrogated from time to time. We know that with him in the car was a Mr Calata who had also been associated with the U.D.F. and a (1) Mr Mkonto who had been associated with the U.D.F., had been a chairman of CRADORA, and he too had been a political activist detained and interrogated on numerous occasions and closely linked with the activities of the U.D.F. We know less about Mr Mhlauli, but three of the four are clearly identified as political activists and well known as such.

Now everything I suggest to Your Worship points to this being a politically motivated murder. Three of the four had a strong political background and the fourth, Mr Mhlauli, even if his political presence was not as substantial as the (2) others, once one or more of them were to be killed, none could be allowed to go free. All four would have to be killed otherwise there would have been witnesses. So once one or more of the four was to be a target of murder, all four had to die.

We know from the circumstances of the killing that it must have been a political murder. Robbery clearly was not the motive. The car was not stolen, nothing was taken from the car. Money was found at the scene under the body of, I think it was Mr Mkonto's body, referred to in Mr Els's (30) affidavit, A.16, at p.2, and the burning of the car and the /bodies...

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bodies and the separation of the bodies clearly points away from some casual robber or highwaymen. This was done because the murderers clearly did not want the bodies to be identified or indeed the fact that the Cradock four had been murdered to be known. There can be no other explanation for what happened. Casual robbers bent upon stealing property for gain could hardly be expected to separate bodies which they had robbed and take them to different parts of the area, Port Elizabeth area.

We know a number of factors which point to a carefully (10 planned, well co-ordinated and skillful killing. Separation of the bodies, the fact that they were removed from the car and taken to places distant from the car so that the bodies, if found, would not be linked to the car. What other reason could there be for that? We know that the bodies were burnt and if you look at the photographs of those dreadfully mutilated bodies, you will see that each one was lying on his back and that amongst each one the facial features had been burnt. The bodies had been put on their backs, petrol had been poured over their faces and fire had been set to their (20 faces. Consequences of that would obviously be to make it  
R.8 difficult (end of cassette No. 7)

CASSETTE NO. 8 BEGINS: ...a plan that the four people should disappear, and that is the false numberplate found at the scene. Most extraordinary thing happened at the scene. The numberplates of the car, Mr Goniwe's car, were taken off, the front numberplate and the back numberplate were both removed from the car before the car was burnt and a false numberplate was left at the scene. Now why should anybody take numberplates off the car? That is a deliberate (30 action and the only possible reason for taking a numberplate

/off...

off the car once you are burning the car and seeking to destroy it as far as possible, is that whoever finds the car will not be able to identify the owner of the car. Will not know whose car it is, and the false numberplate, to leave a false numberplate at the scene, why would that be? And the only reason would be to lay a false trail.

Now let us go back to the time. It was night, it was dark. Dreadful murders had been committed, who sits down at that time to take off numberplates from a burnt-out car or before burning a car, other than a person seeking to lay a false trail. What had happened, clearly what happened is that in the haste with the dead bodies probably around, with the burning of the car, both numberplates were removed, false numberplate was put on the scene, but one of the original numberplates was left lying on the grass away from the car where it was subsequently found as well. (10

Now nobody travels in a car, a false numberplate at the front and a correct numberplate at the back and indeed there is no suggestion that Mr Goniwe and these people travelled in anything other than their car with their numberplate in the ordinary way. The killers came prepared, a false numberplate was part of their scheme to set this false trail and indeed but for their error in leaving one of the numberplates on the grass to the side their scheme might have succeeded because what would have happened? Mr Basson, we know, found the car. He found a burnt-out car which had been hidden, it was pointed out to him by a road worker who had come off the road. It had been hidden in the bushes and he went up there and he found the CAT numberplate which had been left lying on the grass, but if he had found - and he radioed through to Radio Control and gave them the number (30

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of the CAT numberplate which had been removed from the car and had been found lying on the grass, and he was told that is Mr Goniwe's car and immediately it was known the car in which these four people had been travelling had been found, had been burnt out and immediately the search had to be launched in that vicinity for the bodies, or to see if there were bodies, of those four people, but if that numberplate had not been left lying on the grass and if the CB numberplate had been found, what would have happened? Mr Basson would have radioed through and the information that he would (1) have got was this is an old wrecked vehicle which had been scrapped in 1983. There was no body near the car because the killers had removed the bodies. They had taken them a substantial distance away from the car. One body was within 1,7 kilometres of the car, two of the bodies were between 4 and 5 kilometres from the car and the fourth body was 14 kilometres from the car. So clearly the plan had been to separate the bodies so when they were found, if they were found - I will show you later that - maybe there may have been months or years before those bodies could ever be (2) found, but if they were found they would not be four bodies together, who may be linked with the Cradock four, there would be a body, 15 kilometres away another body, 4 kilometres away another two bodies, so the finding of the bodies would mean nothing and the finding of the car would point people in incorrect directions and indeed if these bodies were left in remote places in the veld, taken away from the car, taken away from the road, they may never have been found before decomposition set in after the faces had been burnt or if they had been found it might only have been found ( a long time afterwards and indeed there were certain fortuitous

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events which led to their being found at all. The first bodies were found because of "makwetas". It was in a remote place where there are "makwetas". Your Worship knows that it is part of an initiation ceremony to go into a remote place. It would have been pitch dark when the murderers took the body there. They probably were not aware of the "makweta" huts or could not have seen them in the dark and they left the body there. Fortuitously the "makwetas" were there and they found that body, but when that body was found it was not immediately linked with any- (1) body, it was just an unknown dead body of a black man lying in the veld, who had been burnt.

COURT: Assuming it was a planned murder (interrupted)

MR CHASKALSON: That is what I am coming to.

COURT: How does it bring me closer to the real issue?

MR CHASKALSON: Let us see where it points, Your Worship. Let me take you through the evidence, I think it is important that people should know the circumstances of the death, what the evidence shows and whether there is anything that can more still be done to either now identify who the people (20) are who did the killings or if there is anything more. I shan't be long Your Worship.

The other - the second body was found by a fisherman in a remote place and the other bodies were only found some 5 days later after a specific search had been launched by the police and the Army to look for the dead bodies because now there had been a linkage with the Goniwe car.

Now then what does the evidence then tell us about who might be the killers? And that is what you have to ask yourself whether in these circumstances there is any (30) evidence to point to who the killers are.

/We...

We know them Your Worship to be a group sufficiently strong and well organised to stop the car, to overpower - to stop the car without doing it any damage because the examination show that no damage was done to the car - sufficiently strong and well organised to overpower the four deceased people and sufficiently well organised with petrol, guns and weapons and with transport to move the bodies about and take them to different places. We know from the nature of the killings that they were armed with guns and knives. We know that the gun Your Worship had not been used before (1 for unlawful purposes since the forensic laboratories that tell us it cannot be linked with any previous or subsequent event, so it was not the gun of a criminal who uses it in the course of his or her trade to effect robberies or otherwise. It was a gun which apparently had never before or never since been used for an unlawful purpose. It was a group of people who knew Port Elizabeth region well enough to find beach tracks, remote beach tracks at night and leave bodies at isolated places, driving along these tracks. It was a group of people sufficiently skilled to formulate (20 a plan and to leave a false trail. It was a group of people who were equipped with their own vehicle, with their own petrol, with their own numberplate. A group of people who knew who they were looking for, knew the route that they were likely to take and the road they were likely to be on. It was a group of people who were able to stop a vehicle despite the attitude of the four that they would not stop on the road, and a group sufficiently numerous, sufficiently powerful, sufficiently organised, having stopped them, to overpower them, burn the bodies, transport the bodies to (30 separate locations, to leave the false numberplate, to

/disappear...

disappear and never to be found again.

Now what clues do we have at the moment? What clues have been laid bare during the inquest? There is the gun. It has been identified as being a Gavarm gun. There are only 700 such guns in South Africa. The killer is likely to be one of those 700 people, or to include within those 700 people, is likely to be one of the killers.

As far as the numberplate was concerned, that fortuitously as a result of traffic tickets, has been identified as having been in use unlawfully in 1984 by a Datsun motor (10 car. It was in use and so the group that we are talking about were, at least one of the people within that group had been as long ago as 1984 making use of false numberplate, and false licence certificates to conceal his activities. He was going about some activity which made it necessary for him not to be identified less anybody who saw his car whilst he was engaged in such activity, whatever it may or may not have been, would not be able by looking at the numberplate or the licence to lead a trail to the car. So it is not, one would think, a recently constituted group. (20 It includes at least somebody who was engaged in illegal activities a year or so before the murders.

Now what evidence have we had here? We have had evidence directed to statements made by persons claiming that the killers were associated with the Reverend Mqina and that the killing had its origin in the Azapo/U.D.F. conflict.

Now the Reverend Mqina has given evidence and the people who made the statements have given evidence and they have denied the truth of that statement and they have denied (30 that Azapo had anything to do with the killing and indeed

/it...

it would be - if one thinks back in the light of their evidence one wonders why Mr Goniwe and the people for Cradock should be associated with the Azapo feud. They are not obvious targets for such feud. Azapo had no presence at all in Cradock - there are affidavits to that effect.. There was no conflict in Cradock between Azapo and the U.D.F. There were no quarrels according to the affidavits between Mr Goniwe and anybody associated with Azapo and indeed the affidavit show that he had no part whatever in the conflict which broke out in Port Elizabeth between Azapo and the U.D.F. So to that extent (10 the denials of the people here are substantiated by surrounding circumstances. It seems as if there were rumours which have not been substantiated and the inquest, in fairness to the Reverend Mgina, has shown that the evidence linking him with the killing has been discredited and is of no real value, and indeed the killing is not like the other Azapo/U.D.F. attacks, their conflicts. It is not a case of houses being petrol bombed, people being attacked in those circumstances. It is not a case of terror and counter-terror where the victims should be seen to have been harmed so as some fear should be (20 instilled. Somebody looking for these people, calculated in killing them and planning a disappearance.

Now there must be a group of persons who were willing to drive around with dead bodies at the dark of night, to conceal and disfigure the bodies, to engage in this macabre and dangerous undertaking, to conceal the identity of their victims and if it were, as I suggested must be a politically motivated murder, why would this be done? Why should people disappear? Who would want people to not to be traced? It could be that there would be no inquest. It could be that there would (3 be no funeral. It could be that there would be confusion.

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It could be that there had been no martyrs like the PEBCO four who disappeared. But whoever it was, it was a group of persons to whom we have leads through the Gavarm gun and to whom we have leads through the Datsun car. They constituted themselves into an illegal group which can only be described as having lain in wait for the Craddock four, constituting themselves as it were into a death squad, stopping, killing them and seeking to make them disappear.

This inquest is not going to tell you who they are, but there are two clues which may lead to the identity of those (10 killers and it is imperative in the public interest and in the interest of families and everybody associated with this case, that those clues be followed up so as that we know either who the killers are or that indeed some unlisted gunman or some unknown Gavarm gun exists about which no record can be obtained.

Your Worship, I believe on the evidence, is unable to make a finding as to who is responsible for the killings but Your Worship can, and deed will, make a finding that they were murdered and that the circumstances of their deaths (20 are as I have described them to Your Worship today.

COURT: Thank you Mr Chaskelson. Mr Neppen?

MR NEPPEN ADDRESSES COURT: Your Worship there can, with respect, be no quarrel with the statement by My Learned Friend that the men were murdered and there can be no quarrel with the statement that on the evidence before you, you are unable to come to a finding as to who was responsible for that murder or the murder of each of the men, and whether it can be taken any further from our point of view I do not think so. (30

COURT: Yes, thank you. Mr Moosa?

/Mr Moosa...

MR MOOSA ADDRESSES COURT: Your Worship I find myself impelled - compelled to make common cause with both My Learned Friends that the only conclusion that this inquest can come to is: (1) the Cradock four were murdered.

(2) That we do not know who murdered them and that the other aspect is all the evidence that has been led has clearly and unequivocally stated that whoever did it, it was certainly not the Azapo theory and we make common cause there with the investigating officer when he says whatever allegations there were about Azapo were proved to be false. (10)  
Thank you Your Worship.

COURT: Thank you Mr Moosa. Do you wish to say anything Mr Hodgen?

MR HODGEN ADDRESSES COURT: Your Worship I think I must just associate myself, I think, with the remark that we know the people were murdered and we cannot at this stage say exactly who it was. Your Worship the only other finding then is the Court's finding in terms of Section 16(2).

COURT: And that I will give at 2:00 o'clock.

COURT ADJOURNS

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IN THE REGIONAL COURT FOR THE REGION EASTERN CAPE  
HELD AT NEW BRIGHTON, PORT ELIZABETH

INQUEST NO. 626/87

DECEASED: SPARROW MKONTO  
SICELO MHLAULI  
PORT CALATA  
MATTHEWS GONIWE

BEFORE: MR E. DE BEER

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F I N D I N G

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Before I make my finding, I would like to thank Adv Hodgen for his assistance and the well-organised manner in which he led the evidence. I would also like to thank all the parties concerned, for their assistance in attempting to find the truth.

As I have already stated at the commencement of these proceedings I will deal with all four the inquests in one matter, under Inquest No. 626/87 with just a cross-reference made to it on the other inquests.

Once again I want to make it quite clear that there are (20  
there are no accused and that this is not a criminal trial. Even if a finding can be made against any group or an amorphous group, it still does not assist me in determining the identity of the actual participants in the murders.

In terms of the Inquest Act I am to determine the identity of the deceased persons, the date of their death, the likely cause of their death and lastly which is the real issue before me, whether the death was brought about by any act or omission involving or amounting to an offence on the part of any person. (30

From/...

From the affidavits accepted by me to be admissible in proof of the facts stated therein in terms of Section 13(1) of the Act as well as the oral testimony heard by me, a picture has been painted which may briefly be set out as follows:

Two organizations, namely the Azanian Peoples Organization to which I will refer hereinafter as AZAPO and the United Democratic Front, to which I will refer hereinafter as the UDF, were to all intents and purposes at war during 1985. In this connection reference need only to be made to the affidavit of Michael Coetzee, a member of the Gelvandale Youth Movement which is affiliated to the UDF as well as Rev. Magina's evidence to this effect. (10)

The four deceased, who were all of the members of the UDF, left Cradock on 27 June 1985 in Matthews Goniwe's motor vehicle with registration no. CAT-8479, to attend a meeting in Port Elizabeth.

Derrick Swarts' affidavit A.10 says that the four deceased left Mr Coetzee's house together alive and well that same evening at approximately 9 p.m. in Matthews Goniwe's motor vehicle. It would appear that Mr Swarts was therefore the last person to have seen them alive. Not so long afterwards their bodies were found spread out over some distance at the Redhouse/Bluewaterbay-area which is on the outskirts of Port Elizabeth. (20)

The post-mortem reports indicate the cause of death in respect of each of them as follows:

"Sparrow Mkonto - n Skietwond deur die kop en n steekwond tot in die hart.

Sicelo Mhauli - Veelvuldige steekwonde en die gevolge daarvan.

Fort Calata - Steekwonde in die hart en die gevolge daarvan. (30)

Matthews Goniwe /....

Matthews Goniwe: Veelvuldige steekwonde en die gevolge daarvan."

From the affidavit of Mr David Klatzow, an independant forensic consultant, all four the deceased must have been alive when they were taken from Matthews Goniwe's motor vehicle and were probably killed at the respective sites at which they were also set alight.

In front of the burnt-out vehicle of Matthews Goniwe, a number-plate CB-10627 was found. Extensive investigation by warrant-officer Stephanus Els as to how it came to be (10 there at the time led to a dead end.

From various affidavits filed it has been proved to have been the number-plate of a Chev. motor vehicle, the property of Mhlungisi Nzima which was scrapped during 1983 or 1984. The vehicle was taken over as scrap by Heine and Strydom who in turn sold it to a firm named Chicks. What happened to this number-plate after it was scrapped until the time it was found on the scene, no one knows, and it still remains a mystery.

Investigation of the bullets removed from Sparrow Mkonto's body, reveals that they match up with 2 x .22 spent cartridges found near the body and that it was probably fired by a Gavarm rifle. Several Gavarm rifles were collected by the investigating officer Mr Els and thereafter tested by ballistics expert, Thomas Wolmarans with negative results. (20

From the oral evidence given by Mr Mzondesi Ndyawe and Mr Mzini Bingo it is impossible to make a finding as to which facts are true and which are false. Mr Ndyawe is, to say the least not only a self-confessed liar and criminal but admits making up stories as he goes along. Mr Bingo, (30 on the other hand, clearly does not know anything about the actual/...

actual killings and his evidence is of no help to me in determining the identity of the killer or killers.

It is therefore unnecessary for me to make a finding on whether he had made the relevant "statement" to Mrs. Christie under duress or not of alleged AZAPO activities at the time.

Mrs Christie's evidence is also of no help to me whatsoever as she herself knows nothing about the happenings surrounding the actual killings. She only interviewed both Mr Ndyawe and Mr Bingo, took a statement and made notes as to what they had said. (10)

The evidence of Rev. Maqina does not take the matter any further. His evidence is clearly a denial of any participation. There is also no acceptable evidence before me that he in any way took part in the murders.

In regard to the alleged confession made to prison inmates Mr Quenele Lungu and Mr Dambile Noyika by one Zolile Jolo who cannot be traced. As to his participation in the killings, I am satisfied that this is a false confession.

The affidavit of warrant-officer Marius Lamont, a warden at the North End Prison, which I find to be admissible in (20) proof of the facts stated therein in terms of Section 13(1) of the Act, clearly proves that Zolile Jolo, who is personally known to him was in prison at the time and therefore could not have participated in the actual killings as stated by him.

Numerous other suspicions offered by members of the deceased family as to possible alleged connections by members of the Security Branch and AZAPO regarding the killings have been extensively investigated by warrant-officer Els and have been proved to be completely unfounded. (30)

There/....

There is absolutely no acceptable evidence before me that any member of the Force had anything whatsoever to do with the killings! If anything I cannot do otherwise, but to compliment both warrant-officer Els and Capt. Jonker of the Murder and Robbery Squad for their very thorough and extensive investigation in order to find out who were responsible for the killings.

Finally I find that it has clearly been proved who the deceased were, when they had died and what their cause of death was. As I have already said, the only real issue before me is to determine the identity of the actual killer or killers and from what I have already said, this is not possible. (10

The only finding I can make in this regard, which is also a finding to which all parties have agreed, is that their death was brought about by a person or persons or a group of persons unknown. My findings will be set out on the relevant form J56 for the Attorney-General's attention at a later stage.

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OORSKRYFSTERSERTIFIKAAT

Ek, die ondergetekende sertifiseer hiermee dat die  
voorafgaande n ware en juiste oorkonde is van die  
oorspronklike verrigtinge wat deur middel van n  
meganiese opvangtoestel opgeneem is in die saak van:

G.D.O. - 626/87

OORLEDENES: SPARROW MKONTO  
SICELO MHLAULI  
FORT CALATA  
MATTHEWS GONIWE

*R. Hughes* ..... (*Uitspraak getik*)

OORSKRYFSTER

SNELLER OPNAMES (KAAP) (EDMS) BEPERK



OORSKRYFSTERSERTIFIKAAT

Ek, die ondergetekende, sertifiseer hiermee dat die  
voorafgaande h ware en juiste oorkonde is van die  
oorspronklike verrigtinge wat deur middel van h  
meganiese opvangtoestel opgeneem is in die saak van:

DIE STAAT TEEN: \_\_\_\_\_

SAAKNOMMER: \_\_\_\_\_

OORSKRYFSTER: \_\_\_\_\_

NAGESIEN DEUR: \_\_\_\_\_

KORRIGEER DEUR: \_\_\_\_\_

SNELLER OPNAMES (KAAP) (EDMS) BPK. (PORT ELIZABETH)

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M GONIWE

CASE NUMBER: 626/87

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