

LENNOX SINOKO <sup>#K2-702 K23</sup>

1. Readings.

2. Uasin forms.

3. Med reps.

MEMO

PLAINTIFF'S FULL NAMES : *HERNOX SINOLO*

CASE NO. :

ADDRESS :

SA CITIZEN OR NOT :

Nature of injuries :

Date and time of incident :

Quantum :

Eye-witnesses :

Other witnesses :

Number of visits to doctor or hospital :

Specify visits to doctor or hospital :  
(names and venues)

Employed or not :

Nature of employment :

Income and proof thereof :

Current state of injuries :

If future loss of earnings are claimed, the relevant duration and proof that it was so claimed :

Names of assaulters :

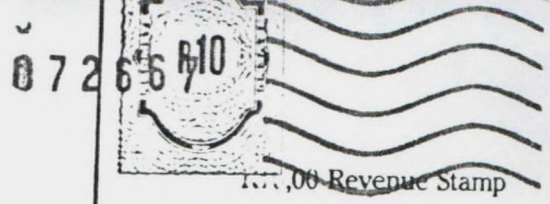
Were criminal charges laid, if so where?

Was an ID parade attended?



*M. S. M. M.*

Case No.  
22.09.92  
Date



Clerk of the Court  
CLERK OF THE COURT  
KLERK VAN DIE HOF

**No. RM2 Summons Commencing Action (Ordinary)**

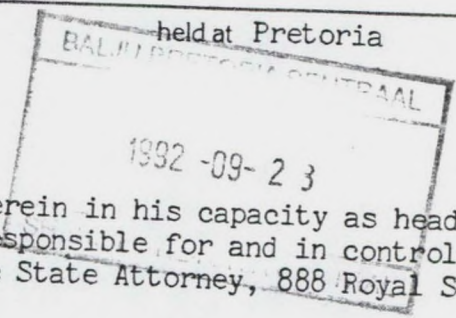
Sued out by  
Nicholls, Cambanis, Koopasammy & Pillay  
c/o Adams & Adams  
Shorburg  
429 Church Street  
PRETORIA  
0002

*C. M. M. M.*  
Signature of Plaintiff or his Attorney

Postal address  
P.O. Box 1014 - PRETORIA - 0001

In the Magistrate's Court for the District of Pretoria

Between LENNOX SINOKO  
and MINISTER OF DEFENCE



Plaintiff  
Defendant

To: THE MINISTER OF DEFENCE, WHO IS CITED herein in his capacity as head of the SOUTH AFRICAN DEFENCE FORCE, and as such responsible for and in control of members of the SOUTH AFRICAN DEFENCE FORCE, c/o The State Attorney, 888 Royal St. Mary's Building, 85 Eloff Street, Johannesburg.

You are hereby summoned that you do within 21 (twenty one) days of the service of this summons deliver or cause to be delivered to the CLERK OF THE AFORESAID COURT and also the PLAINTIFF OR HIS ATTORNEY, at the address specified herein, a notice in writing of your intention to defend this action and answer the claim of

LENNOX SINOKO an adult male, unemployed of 381 Phola Park, TOKOZA.

the plaintiff herein, particulars whereof are endorsed hereunder

**(1) Particulars**

Plaintiff's claim against defendant is for payment of the sum/balance of R

for:

SEE ANNEXURE

Wherefore plaintiff prays for judgment against the defendant in the said sum, with costs.

Costs if the action is undefended will be as follows:

	Summons		Judgment	
	R	c	R	c
Attorney's charges .....	150	00	125	00
Court fees .....	10	00		
Messenger's fees .....				
Messenger's fees on re-issue .....				
Totals .....	_____		_____	
Total .....	R _____		R _____	
			R _____	

(See back)

PARTICULARS OF CLAIM

1. The Plaintiff is LENNOX SINDKO an adult male, unemployed of 381 Phola Park, TOKOZA.
2. The Defendant is the MINISTER OF DEFENCE, cited herein in his capacity as head of the SOUTH AFRICAN DEFENCE FORCE, and as such responsible for and in control of members of the SOUTH AFRICAN DEFENCE FORCE, c/o The State Attorney, 888 Royal St.Mary's Building, 85 Eloff Street, Johannesburg.
3. On or about the 8th April 1992 and at Phola Park, Tokoza, the Plaintiff was unlawfully and without lawful justification assaulted by members of the SOUTH AFRICAN DEFENCE Force, who at material times hereto were acting within the course and scope of their employment as members of the SOUTH AFRICAN DEFENCE FORCE.
4. As a consequence of the aforesaid assault, the Plaintiff suffered bodily injuries.
5. In consequence thereof, the Plaintiff has suffered damages in the amount of TEN THOUSAND RAND (R10 000.00) in respect of contumelia, pain and suffering, loss of amenities of life and disability.



6. The Plaintiff has given notice in terms of Section 113 of the Defence Act.
7. Notwithstanding demand, the Defendant has failed and/or neglected to pay the aforesaid sum as claimed.

WHEREFORE the Plaintiff claims : -

- a. Payment of the sum of R10 000.00;
- b. Interest on the aforesaid sum at the rate of 18.5% per annum from date of judgement to date of payment;
- c. Costs of suit;
- d. Further and/or alternative relief.

DATED at JOHANNESBURG on this the 25 day of August 1992.

*G. Nicholls*

NICHOLLS, CAMBANIS,  
KOOPASAMMY AND PILLAY  
PLAINTIFF'S ATTORNEYS  
23RD FLOOR, KINE CENTRE  
141 COMMISSIONER STREET  
JOHANNESBURG  
REF : VS/PP/15  
c/o Adams & Adams  
Shorburg  
429 Church Street  
P.O. Box 1014  
PRETORIA  
Tel: 320-8500  
Ref: M. BEDHESI P 163/92

NOTIFICATION IN ACCORDANCE WITH THE PROVISIONS OF - RULE 8(4) -  
of the - MAGISTRATE'S COURTS ACT 32 of 1944

DEPUTY : F. A. RUSSOUW  
ACC No.: NICHOLL050

RETURN No.: 92/0,044,128.00  
CASE No. : 72667/92

IN THE MAGISTRATE'S COURT FOR THE DISTRICT  
PRETORIA HELD AT PRETORIA

BETWEEN  
LENNOX SINOKO

Plaintiff

AND  
MINISTER OF DEFENCE  
STATE ATTORNEY

Defendant

ADDRESS : 4TH FEDLIFE FORUM BUILDING  
VAN DER WALT STREET  
PRETORIA 0000

NATURE OF PROCESS:- SUMMONS COMMENCING ACTION (Ordinary)

ON 92/08/29 AT 15h36 THE ABOVEMENTIONED DOCUMENT WAS HANDLED IN THE MANNER  
INDICATED BELOW:

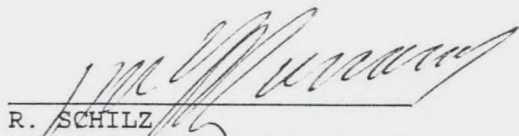
RETURN OF SERVICE : STATE ATTORNEY.

RULE 9(3)(g) : THIS IS TO CERTIFY THE A COPY OF THE ABOVE MENTIONED  
PROCESS WAS SERVED ON M BESTER A PERSON APPARENTLY NOT LESS  
THAN (16) SIXTEEN YEARS OF AGE AND DESIGNATED IN THE STATE  
ATTORNEY'S OFFICE FOR THIS PURPOSE, BY HANDING A COPY  
THEREOF TO SAID PERSON.

RECEIVED - 6 OCT 1992

CODE	DESCRIPTION	PRICE	QTY	AMOUNT	VAT	TOTAL
ADB	SERVICE (0-6km)	11.00/SERVICE	001	11.00	1.10	12.10
PST	POSTAGE	2.60/ACTUAL	001	2.60	0.26	2.86
						=====
						14.96

To THE CLERK OF THE COURT PRETORIA  
Copy to (Your Ref.)  
NICHOLLS, CAMBANIS, KOOPASAMMY & PILLAY  
P O BOX 8694  
JOHANNESBURG  
2000

  
R. SCHILZ  
SHERIFF - PRETORIA CENTRAL  
P.O. BOX 478  
PRETORIA - 0001  
TEL: (012)320-8482/3/4/5

(EMP 1 1 of 3 )

You may require this PRO FORMA statement to be taxed and vouched before payment.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF PRETORIA  
HELD AT PRETORIA

CASE NO : 72667/92

In the matter between : -

LENNOX SINOKO

Plaintiff

and

MINISTER OF DEFENCE

Defendant

-----  
FILING SHEET  
-----

PRESENTED FOR FILING BY : -

*C. Nicholls*  
-----  
NICHOLLS, CAMBANIS AND  
SUDANO  
PLAINTIFF'S ATTORNEYS  
c/o ADAMS & ADAMS  
SHORBURG  
429 CHURCH STREET  
PRETORIA  
REF :

TO : THE CLERK OF THE COURT  
PRETORIA

AND TO : THE STATE ATTORNEY  
DEFENDANT'S ATTORNEYS  
4TH FLOOR, FEDLIFE FORUM BUILDING  
VAN DER WALT STREET  
PRETORIA

Received copy hereof on this  
the        day of APRIL 1993.

-----  
FOR : DEFENDANT'S ATTORNEY



IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF PRETORIA  
HELD AT PRETORIA CASE NO : 72667/92

In the matter between : -

LENNOX SINOKO

Plaintiff

and

THE MINISTER OF DEFENCE

Defendant

-----  
AFFIDAVIT IN TERMS OF RULE 10  
-----

I, the undersigned,

CAROLINE HEATON-NICHOLLS

do hereby make oath and say that : -

1. I am an attorney of the Supreme Court of South Africa (Transvaal Provincial Division), duly admitted and practising as such in partnership under the name and style of NICHOLLS, CAMBANIS AND SUDANO, at 23rd Floor, Kine Centre, 141 Commissioner Street, Johannesburg.
2. The facts herein contained are within my personal knowledge and belief and are both true and correct.
3. I am acting for the Plaintiff in this matter. Summons herein were issued at the Above Honourable Court on the 22nd September 1992. At the request of the Defendant, Plaintiff granted an extension for the entering of an Appearance to Defend by Defendant.

CH  
AD



4. On the 15th December 1992 Defendant's attorneys requested that the further exchange of pleadings in the above matter be held in abeyance pending the outcome of Supreme Court actions relating to the same facts as this matter. Attached hereto is a copy of a letter from the Defendant's attorneys marked "A" containing such request.
5. On the 15th December 1992 the Plaintiff agreed to such extensions as requested by the Defendant.
6. I therefore pray that the Summons shall not lapse until 12 months after the expiration of conclusion of the Supreme Court actions.

*Ch. M. M. M.*

DEPONENT

THUS DONE, SIGNED AND SWORN TO BEFORE ME AT JOHANNESBURG on this the 22 day of APRIL 1993. Deponent having affirmed that she knows and understands the contents of this affidavit, she has no objections to taking this oath and considers this oath binding on her conscience.

*A. Dissel*

COMMISSIONER OF OATHS

AMANDA JOY DISSEL  
COMMISSIONER OF OATHS  
PRACTISING ATTORNEY  
745 MEDICAL ARTS BUILDING  
22 JEFFREY STREET, JOHANNESBURG  
REPUBLIC OF SOUTH AFRICA  
23<sup>rd</sup> Floor King Centre  
111 Commissioner Street.

322-0900/1/2  
322-8522 X235

"GOVAT"

FAX 322 0177

FEDLIFE FORUM  
SUIDTORING • SOUTH TOWER  
Van der Waltstraat  
Van der Walt Street  
PRETORIA

Navrae:  
Enquiries:

T W G BESTER



REPUBLIEK VAN SUID-AFRIKA • REPUBLIC OF SOUTH AFRICA

TWGB/MS

My Verw.  
My Ref. ....

J 417  
9875/92/C13

U Verw.  
Your Ref. ....

Mr Sithole

DIE STAATSPROKUREUR  
THE STATE ATTORNEY  
Privaatsak X91  
Private Bag  
PRETORIA  
0001

15 December 1992

Messrs Nicholls, Cambanis and Sudano  
P O Box 8694  
JOHANNESBURG  
2000

Sirs

JACKIE HERBST AND THIRTY-THREE OTHERS / MINISTER OF DEFENCE

The telephonic discussion between writer and your Mr Sithole on 15 December 1992 refers.

I confirm that the further exchange of pleadings in the above matters will be held in abeyance pending the outcome of the various Supreme Court actions instituted in respect of the alleged assaults by members of the South African Defence Force at Phola Park, Tokoza on/or about 9 April 1992. Defendant does not, accordingly, require Plaintiff to take further steps in the prosecution of the above actions within twelve months of the date of service of the summonses commencing such actions. The details of the actions governed by this agreement appear in the annexure hereto marked "A".

Yours faithfully

T W G BESTER  
FOR : STATE ATTORNEY (PRETORIA)



ANNEXURE "A"

<u>Case No:</u>	<u>Plaintiff</u>
1. 72637/92	Jackie Herbst
2. 72634/92	Joseph Keni
3. 72654/92	Lennox Bhedi
4. 72661/92	Steven Zali
5. 72652/92	Richard Roger
6. 72653/92	Malibongwe Mkhatyana
7. 72643/92	Koekie Mofokeng
8. 72651/92	Colledge Nkwenkwezi
9. 72650/92	Nceba Somakile
10. 72663/92	Nelson Tsotetsi
11. 72659/92	Zwelinlangene George
12. 72658/92	Sizwe Arosi
13. 72646/92	Portia Rawu
14. 72649/92	Fumanekile Zweli
15. 72655/92	Ben Khesa
16. 72660/92	Ndudumo Mayekiso
17. 72662/92	Larrington Nogamia
18. 72638/92	Mxoleli Bambata
19. 72639/92	Lungile Gabhayi
20. 72640/92	Zolani Dina
21. 72665/92	Matthews Mahloma
22. 72666/92	Sampson Ngumla
23. 72667/92	Lennox Sinoko
24. 72645/92	Noweight Monco

Case No:

- 25. 72644/92
- 26. 72664/92
- 27. 72656/92
- 28. 72657/92
- 29. 72636/92
- 30. 72635/92
- 31. 72642/92
- 32. 72641/92
- 33. 72648/92
- 34. 72647/92

Plaintiff

- Nophumzile Bokoda
- Mbekeni Makiki
- Jojo Kuzani
- Amos Fumbatha
- Albert Goutyana
- Boy Tshetsha
- Peterson Sweli
- Walter Mnisi
- Priscilla Qaqane
- Nophakamile Khala

*W*  
4.0



CIVIL CLAIMS

1. Claimant: LEMHOK SIMOKO

(i) Full Name and Address of Claimant:

LEMHOK SIMOKO  
375 PHOLA PARK, TOKOZA 1421  
\_\_\_\_\_  
\_\_\_\_\_

(ii) Occupation:

UNEMPLOYED  
\_\_\_\_\_

(iii) Date of Birth:

16-10-1965  
\_\_\_\_\_

(iv) Identity No:

651016 0 0027 0 8 (TRANSKEI)  
\_\_\_\_\_

(v) Telephone Nos:

—  
\_\_\_\_\_  
\_\_\_\_\_

2. Particulars of Circumstances in which bodily injuries were sustained.

2 DATE & TIME OF INJURIES : 8/4/92 at 9pm.

2.1. Cause of injuries

Assaulted with Rifle-butts <sup>also</sup> booted feet  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.2. State injuries sustained: & how & where sustained

- (i) Assaulted with rifle butt on head - sustained two wounds on head
- (ii) Assaulted with rifle butt on (L) shoulder - sustained bruise
- (iii) Assaulted with rifle butt on lower back - Bruises

(V) Kicked with booted foot on mouth - mouth severely swollen with lacerations.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Medical Treatment.

3.1. Provincial / Private Hospital where claimant was treated:

\_\_\_\_\_  
MUTALS PRUIT HOSPITAL  
\_\_\_\_\_

3.2. Was claimant treated by a private doctor? If so, names and telephone numbers are required.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.3 Hospital No: \_\_\_\_\_ (LOST CARD)

3.4 Date of Admission and Date of Discharge:

9/4/92 - TREATED AND DISCHARGED.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Employment

5.1. Occupation:

UNEMPLOYED  
\_\_\_\_\_  
\_\_\_\_\_

5.2. Name and Address of Employer at date of Accident:

\_\_\_\_\_  
M/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5.3. Period of his employment, from \_\_\_\_\_  
to \_\_\_\_\_.

M/A

5.4. Date of Resumption of Work:

\_\_\_\_\_  
M/A  
\_\_\_\_\_  
\_\_\_\_\_

5.5. Claimant's Income for the 12 months immediately preceding the incident:

M/A  
\_\_\_\_\_  
\_\_\_\_\_

6. Dependant's Claim (Where the deceased was the breadwinner and is survived by dependants). The following personal particulars of the deceased's surviving spouse and children are required:

6.1. Full Names and Addresses: *of Dependants*  
*How much support receiving if parents (eg. RUCOPM)*

*N/A*

6.2. Relationship to deceased:

*N/A*

6.3. Date of Birth:

*N/A*

6.4. Occupation: *Income at Date of Death*

*N/A*

6.5. Name and Address of Employer at date of Death:

*N/A*



N/A .

6.6. His or her income for the 12 months immediately preceding the accident:

N/A .

7. Injuries:

7.1. Brief discription of injuries: Does it effect their jobs or loss of amenties (eg. can't play football etc)

- (i) Two wounds on head
- (ii) Bruises on (D) shoulder
- (iii) Bruises on lower back
- (iv) swollen lips and lacerations on lips.

7.2 Pain - Is there still pain For how long was there severe pain & then mild pain.

SEVERE PAINS: 2 weeks

PAINS : 1 week

8. IDENTITY PARADE

8.1 Did you attend I.D. parade: NO

8.2 Did you point someone out: N/A.

8.3 Positive or Negative I.D. N/A -

8.4 If could not point someone out, why not  
N/A.

9. Point out shack on map

0 Miscellaneous



BUITEPASIËNTE EN/OF ONGEVALLE AFD. • OUTPATIENT AND/OR CASUALTY DEPT

N.S.

HOSPITAAL • HOSPITAL

PASIËNT • PATIENT No. 33194/92

Naam voluit Name in full LEMMOX Smoko

Huisadres Residential address 313 Peter Park

Tokosa Foon Phone No.

Huwelikstaat Marital state S Geslag Sex M Ras Race B

Beroep Occupation LAB Geboortedatum Date of birth 27

Naam van persoon verantwoordelik vir betaling van rekening Name of person responsible for payment of account SELF

Sy/Haar adres • His/Her address AS ABOVE

Naam van werkgewer • Name of employer OK BARNAR

Adres van werkgewer • Address of employer AL ROBE

Naam van siekefonds Name of sick fund

\*Jaarlikse gesinsinkomste • Annual family income Uit alle bronne From all sources

Broodwinner • Breadwinner R

Vrou • Wife R 210000

Ander afhanklikes • Other dependants R

Totaal • Total R 8000

\*Getal persone in gesin (broodwinner ingesluit) Number of persons in household (including breadwinner) 1

Meld ouderdomme van afhanklikes State ages of dependants 27

Rede vir afhanklikheid Reason for dependence SELF

(Minderjariges van 16 jaar en ouer wat selfonderhoudend is, moet uitgesluit word) (Minor children of 16 years and older who are self-supporting must be excluded)

Datum van ongeluk/besering Date of accident/injury 8-4-92

Plek Place Peter Park

Tyd Time 11H00

Persoon wat beseerde ingebring het Person who brought in the injured

Sy/Haar adres His/Her address

Sy/Haar handtekening His/Her signature

en voertuig No. and vehicle No.

Was beseerde: (i) Onder die invloed van drank? Under the influence of liquor?

(ii) By sy/haar bewussyn? Conscious?

Geteken: Opnemingsbeampte Signed: Admitting officer [Signature]

Die aard van die pasiënt se siekte mag vir rekeningdoeleindes vrygestel word. The nature of the patient's illness may be disclosed for accounting purposes.

Getuie Witness

Geteken Signed

Datum Date 7-4-92

Klagte Complaint Injured

Huidige siekte Present illness







Datum • Date

9/4/92

No assault on the face, skull,  
left shoulder, back, left hand,  
pt. is conscious & oriented.

x-ray - skull & face -  
x-ray chest  
Left shoulder  
left hand

no # seen.

YJH

HOSPITAAL  
HOSPITAL

AFDELING  
WARD

Pasiënt • Patient

Pasiëntnommer  
Patient's Number

Ouderdom  
Age

Indeling  
Classification

**33194**

Datum  
Date

Voorskrif besonderhede  
Details of prescription

Hoëv. uit.  
Qty. issd.

Apteker  
Pharmacist

9/4/92

Roem-2 of ekwivalent

**PLEASE CLEAN & SUTURE**

**PENILENTE 2ML 1 MI** *W. de la R.*

**STAT. PANADO 2,6 HOURLY**

**TETANUS TOXOID 0,5ML. STAT** *W. de la R.*

*tab, Bimfen 400 mg tids (15)*

*H. J. de V.*

As hierdie woorde "of ekwivalent" nie deur die voorskrywer geskraap word nie dui dit aan dat die goedgekeurde generiese ekwivalent uitgereik mag word.  
If the words "or equivalent" are not deleted by the prescriber this will indicate that the approved generic equivalent may be supplied.



**Collection Number: AK2702**

**Goldstone Commission of Enquiry into PHOLA PARK Records 1992-1993**

***PUBLISHER:***

*Publisher:* Historical Papers, University of the Witwatersrand

*Location:* Johannesburg

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