

that she was instructed to work in unemployment? --- Yes.

She was also...at times it was recommended that she did work in specific fields of activity. --- That is true.

Yes. At times it was decided that she should work in specific areas. --- That is true.

And she refers to labour, to unemployment and to the white left. --- Correct.

Yes. Doesn't that indicate that she was sure in which fields she had to work? --- But on page 14 I think of your document, she also says, "The basic problematic issue at hand here is the difficulty determining the purposes for which I was recruited".

Would you say there is ambiguity in her document, EXHIBIT 'B'2? --- Yes, I think you could put it that the document is ambiguous.

Now you as an expert who wants to assist the Court in an objective manner, why didn't you say in your document, "I interpret it this way, but I must point out to the Court that there is ambiguity in the document." Why didn't you do that? --- I think it is a natural thing when one is trying to argue a case, that one argues it as strongly as possible with as few qualifications and concessions as seem necessary. I wasn't being deliberately dishonest, but I was trying to argue a case and therefore I was drawing on those things that seemed the most positively to support my case. I do attempt to qualify my argument at certain stages.

If you just refer to your other document again, EXHIBIT 'T', on the first page, you refer, at the bottom of EXHIBIT 'T' to the decision taken by the ANC to take up armed struggle. --- Correct.

You say it was not the result of a unanimously held conviction / .....



conviction within the ANC and its allies? --- That is correct.

This is an historical fact? -- That is correct.

It is not at the moment, today, it is not a problem within the ANC, whether they should employ violence or not? --- There is no evidence that there is any debate of the subject.

Yes. Quite correct. Now, when the decision was taken, do you know whether Nelson Mandela was party to that decision? --- He certainly was.

And I think the learned counsel for the accused have re erred the Court to a document, "Rivonia Trial" that is a statement made by Mandela at his trial. --- That is correct.

I am referring to EXHIBIT 'K'14. At page 164 Mandela says the following: "I have already mentioned that I was one of the persons who helped to form Umkhonto. I and the others who started the organisation did so for two reasons." The second one that he mentions here separately. "We felt that without violence there would be no way open to the African people to succeed in their struggle against the principle of white supremacy." He was one of the persons that supported this ideal. --- That's correct.

Is it also correct that in 1969 at the Morogoro conference the policy, or the tactic of violence, was endorsed by the conference? --- It was endorsed at the conference. Correct.

The Court has also been referred by you and by counsel for the defence to the book written by Davidson, Wilkinson and Slovo, entitled, "Southern Africa - The New Politics of Revol ion? --- That is correct.

You have referred in your statement to a passage



appearing at page 266. That is at page 5 of EXHIBIT 'T'.

--- Correct.

Did you use this book, the Pelican 1976 edition? ---  
I used it originally. I had notes from it. I don't possess  
a copy of it.

Because I can't find your quotation on page 266. ---  
Oh. In that case, maybe one or two pages later on.

Do you agree with me that this book has three different  
sections, each written by a different author? --- That is  
correct.

There is one section written by Joe Slovo? --- That  
is correct.

And Joe Slovo is an official of the ANC? --- Correct.

Do you know what he says about the use of violence? ---  
Yes.

What is his attitude? --- His attitude is similar  
certainly to the one described by Mandela. That you have  
just quoted to me.

Yes. Violence is essential. --- That is correct.

You have heard the evidence of Major Williamson, that  
there is a link or an alliance between the ANC and the SACP?  
--- Correct.

Are you also aware of the existence of such an alliance?  
--- Yes.

And it is so that there is an overlapping of membership?  
--- There is a considerable cross membership, yes.

If you bear that in mind, isn't it possible that  
EXHIBIT 'B'1, that is the document about the working-class  
leadership, could have been drawn up by the same person, who  
has ANC and SACP sympathies? --- Document 'B'1? Working-  
class leadership? 30

That / ....



That is correct. --- That that could have been drawn up by a person who has ANC sympathies?

ANC and SACP sympathies. --- It is written by a Marxist, probably therefore a person with SACP sympathies and it is certainly written by someone who has ANC sympathies.

Yes. Do you know a person by the name of Andrew Masondo? A Political Commissar of the ANC? --- I do not.

You never heard of him? --- No.

NO FURTHER QUESTIONS BY ADV SWANEPOEL:

RE-EXAMINATION BY ADV BIZOS: Now you were asked why you did not take the opportunity of interviewing Major Williamson as part of your source of information about the African National Congress and you gave His Lordship the reason. Were you familiar, before you agreed to give evidence in this case as to what Major Williamson had to say about the ANC? --- In rough terms, yes, because Major Williamson has testified in several other trials which have been extensively reported in newspapers. And I have seen records from one of those trials.

Were you aware whether Major Williamson has caused to be published his experiences in the ANC in newspapers? --- He has indeed. There were extensive interviews in most of the major English language newspapers.

Did you read them? --- I did.

And did you take into account what he had to say from that position that he was in, in your overall knowledge of the African National Congress? --- I did.

The next point that I want you to deal with is the affidavit that you made in connection with the death of the late Dr Neil Aggett. How is Mr Tambo usually referred to? --- On the basis of information that I had then, Acting



T.G. Lodge.

President Oliver Tambo was the phrase that was usually used to describe him, but subsequent to the correction, I am aware that this is out of date.

Yes. Now the documents that were read to you appear to be pamphlets and extracts from Sechaba. In your experience, do pamphleteers and journalists use the word "Colonel" for "Lieutenant Colonel" or "General" for "Brigadier General", or such shortened titles, or are they very careful to use the precise title? -- Sometimes there is considerable imprecision, but nevertheless, I think I must concede that the change from Acting President to President may have some significance I am not aware of.

I see yes. What was Mr Tambo's position, was he ever President in South Africa whilst the organisation was a lawful organisation? ---- No. At that time Chief Albert Lethuli was President. He died, I may be wrong, but either in 1967 or in 1969, in a train crash. Oliver Tambo was on the National Executive at the time of the organisation's banning.

Yes. Now the other is the article that you wrote shortly after the unfortunate affairs that occurred at Silverton. Can you recall how long after the Silverton tragedy you wrote that article? --- It was written very recent...very soon afterwards, because I believe, I may be wrong, but I believe it appeared in the first half of the year in which the Silverton tragedy took place. I remember, I came back, I was on holiday in Britain, and I was asked very soon after my arrival to write this article for the Race Relations News.

And did the people during the course of the holding of the hostages, do you recall whether they claimed doing it on



behalf of the ANC? --- It was extremely unclear from the press reportage available at the time of my writing that article, whether they were or were not members of the ANC, but on hearsay evidence, reported in the newspapers, it appeared that they were. But there were contradictory claims also made in the newspapers.

Yes. And at that stage, did you express the view that it would appear that the ANC may be entering into a new phase? --- I did at that time. I was puzzled by the incident. It seemed inconsistent, but I had to take it into account for my argument.

And since the Silverton siege or tragedy that occurred there, have there been similar acts committed? --- There have been no incidents in which ANC insurgents have taken hostages or deliberately placed civilian life at risk, at least acknowledged to be the responsibility of the ANC by the ANC.

Yes. And since the passage of that time, did you come to any conclusion as to whether this was an isolated, or whether this was a change of policy? --- I came to the conclusion that it was an aberration, an isolated incident.

Yes. --- My conclusion was reinforced by the ANC's signatory signing the Geneva convention a little while later.

The signing of the Geneva Convention, to what effect? --- It was a signatory to those clauses which commit an organisation undertaking an act of war, not to harm, or at least, to best preserve the lives of innocent civilians.

Was that after the Silverton acts were committed? --- From what I remember, I may be unsure of my dates, but I think it was at least a year afterwards.

Yes. And did you take that into consideration in



expressing your view, your present view in relation to the policy of the ANC in that regard? --- In itself it would have been insufficient. I did take it into account, but there was also evidence coming from trials where people were testifying on the nature of their instructions that they had received. There was a consistency in that kind of evidence.

Now, you were asked questions in relation to the function of a trade union. Generally. And questions as to for what purpose the ANC may want to use them. I want to show you one page from chapter 12 from a book by D. du Toit, Capital and Labour in South Africa, published by Heegan Paul, London, 1981. I merely want to refer you...

ADV SWANEPOEL: M'Lord, I don't see how that arises from cross-examination, introducing a new book at this stage. It could be a leading question. It doesn't arise from cross-examination I submit.

ADV BIZOS: It does arise from my learned friend's cross-examination M'Lord, as to what purpose the ANC would want to put trade unions to.

Although I have the whole chapter in case anyone wants to read it in context, I want to read on page 433: "In July 1977 the following program of demands was presented to all organisations of employers, Workers Unity, July 1977". And thereafter there are fifteen points set out. Are you familiar with that work Mr Lodge? -- I am familiar with the work and with those fifteen points.

Yes. I don't know if Your Lordship wants them to be read out M'Lord, it is only the one page. We will refer to that in argument M'Lord, insofar as that may be relevant.

COURT: Do you propose handing that up as an exhibit, or...?

ADV BIZOS: As an exhibit - that will be M'Lord, 'FF'.  
But it is only the one page M'Lord.

Do you know who was responsible for the drawing up of those fifteen demands Mr Lodge? --- I don't know who the individual was, but it was the Executive of SACTU at the time.

NO FURTHER QUESTIONS BY ADV BIZOS:

ADV SWANEPOEL: M'Lord, may I just enquire if that document - I haven't seen it - is the same as EXHIBIT 'C'10? It sets out fifteen demands by SACTU.

COURT: Beginning with - "Immediate recognition of the right of all workers"...etc.?

ADV SWANEPOEL: That is correct.

COURT: And ending...what is No. 15? "Full political rights for all South Africans."

ADV SWANEPOEL: Yes, then I know the document.

ADV BIZOS: Well then I am sorry for having burdened the record M'Lord.

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MR BIZOS CALLS MISS SCHREINER.

MISS JENNIFER ANNE SCHREINER UNDER OATH.

EXAMINATION BY MR BIZOS: Miss Schreiner, what are your academic qualifications? --- I hold a B A (Hons) degree from U C T.

That is the University of Cape Town? --- Right.

And is that where you live and work? --- I live in Cape Town; I am employed by the Sociology Department at U C T.

COURT: Would you care to speak towards me, please? --- Sorry. I live in Cape Town; I am employed at the University in the Sociology Department. (10

In Cape Town? --- In Cape Town, yes.

MR BIZOS: You are employed by the University of Cape Town in the Department of Sociology? --- That is right.

Does the name Mark Kaplan mean anything to you? --- Yes, it does.

Did anything happen to him last year? --- Mark Kaplan was detained on 10 November last year.

Was he a friend of yours? --- Yes, he is a friend of mine.

And as a result of his detention did you do anything about (20 it? --- As a result of Mark's detention people got together to assist his family - his brother and his friends.

To assist him in what way? --- To assist in moral support and to assist in looking after Mark's house, his car, his plants.

And from this modest beginning of looking after Mr Kaplan's affairs did a number of people come together into a group at the University of Cape Town? --- A group formed, not only as a result of Mark's detention, but as a result of the detentions which had happened throughout the country, which had (30 raised for a lot of people in Cape Town questions about detention .....



detention, about what one's legal rights were, and it was in that context, brought home to us by Mark's detention, that a group did get together.

And were you one of those people? --- I was one of those people.

And you say you became interested in what detention meant for people, and were any steps taken to inform yourselves about what detention meant for people? --- In response to the kinds of questions people were asking a couple of talks were organised in which people could get answers to those kinds of questions. (10

Now, were talks held? --- There were; there were initially two talks held, at which stage Mark was transferred from Section 22 to Section 6, and a further two talks were held on the basis of new questions that that raised for people.

Now, were you present at those talks? --- I was present at all four of the talks.

Please tell His Lordship who the speakers were? --- The speaker at the first was Mr Omar; at the second Mr Davis; at the third Di Sandler and Di Cooper; and at the fourth Mr Omar again. (20

Is Mr Omar a lawyer? --- Yes, he is.

And is Mr Dennis a lawyer? --- He is a law lecturer.

Davis, I beg your pardon. --- Mr Davis is a law lecturer.

A law lecturer at the university? --- At the University of Cape Town.

When did those talks take place? --- The first was on Sunday, I think 15 November.

And did they follow thereafter from 15 November onwards? --- The following was on the next Sunday; the next was on the Thursday and the following on Sunday, I think, 6 December. (30

And how many people were present at these talks, Miss

Schreiner .....



Schreiner? --- It ranged from about 70 people to about 120.

Did anyone record those talks? --- Some of the talks were recorded, and some of them were recorded in the form of having notes taken.

Did you take part in the note-taking or the recording of them? --- I did take part in both the note-taking and the recording of them.

Is that of the talks given by Mr Omar and Mr Davis? --- As well as the third.

And you are sure that these talks were given in and after November? --- The first, as I said, was on 15 November.

Of what year? --- 1981.

Of 1981? --- That is correct.

Now these talks in the presence of these 70 to 120 people, were they prepared talks which appeared to you to have been delivered elsewhere prior to that? --- Which two talks?

The two - well, the talks by the two lawyers, Mr Omar and Mr Davis. --- No, they did not appear to be prepared talks that could have been given somewhere else, and I know that from knowing that the content of those talks was in response to questions that were being asked by people at the time.

And you made notes and you recorded their answers? --- That is correct.

And as a result of these talks having been given and the questions answered, was anything put together? --- At the final talk it was suggested by the meeting that the talks should be put together in some form of a booklet.

When was that suggestion made? --- At the last meeting on Sunday, 6 December.

I am sorry, I didn't hear the date in December? --- 6 December.

What .....



What year? --- 1981.

Was there any book already in existence which you were going to copy or to be guided by? --- No, there was not.

Did you take part in the compilation of EXHIBIT F? --- I took part in the sense of taking my notes and notes from the talks and taking them to a group of people and discussing with them in the first two meetings the production of this document.

Now I want you to please have a look at EXHIBIT F; the long article headed, "Guidelines for Detainees" - where did that text come from? --- At the first meeting we discussed how to deal (10) with the four talks that we had. We took a detailed look at the two - the first one and the last one - and felt they would be best amalgamated into one article, which is what is here as "Guidelines for Detainees".

Let me see if we can get this quite clearly. You are telling His Lordship that the article headed "Guidelines for Detainees" Is a synthesis of Mr Omar's and Mr Davis' talks? --- No, it is a synthesis of the two talks produced by Mr Omar - the first and the last.

The first and the last. --- Plus the questions that were (20) raised in the discussions.

Did you discuss how the getup of the document was going to be done? Do you know what I mean "getup" - the formation? --- The format of ...

The format of it. --- We did at the initial production discussion discuss the need to extract sections of the text because it was really complex material, really dense material, and the suggestion was raised there that it could be done in columns with extractions from the text taken into a side column. (30)

And was that decision carried through? --- With modifications ....



modifications. The first suggestion was that the page should be divided into one solid section of text with one column at the side. The subsequent production meeting decided to divide that text into two columns with a column at the side.

Did you have any similar document to be guided by or was this original work being done? --- This was original work being done; we had no other document.

Was there any discussion as to whether there should be any graphics in the production of this document? --- There was discussion at the first production meeting and it was decided to approach someone specifically to do graphics for the publication. (1)

And were graphics produced for this publication, EXHIBIT F? --- They were.

The format of the cover into six sections and each one representing whatever it shows to be representing - was that discussed? --- Not at the production meetings that I attended.

Was the cover, as far as you know, copied from any other cover? --- No. My knowledge of the cover was that it was put together at the layout session on either 24 or 25 January 1982. (2)

As a copy of some other cover or as a cover that was specially made for this publication? --- As a cover that was specifically made for this publication.

Does EXHIBIT F in the introduction say why and when it was printed? --- Without giving an exact date of when it was printed it does say that it was printed in 1982.

COURT: It was printed in? --- 1982. In the introduction, if I can read it to you, it says: "After the recent spate of detentions starting in September 1981 and carrying over into 1982." (3)

But where .....



But where does it say that it was produced in 1982? ---  
It doesn't state the date that it was produced.

The date doesn't appear, not on EXHIBIT F, as far as I can ascertain. I am not sure that I am with you, because I understood you to be rather explicit about whether it says when or mentioned the date when it was produced. --- No, I said it did not mention a specific date.

It did not mention a specific date. --- But that it did refer to 1982.

Well it refers to the happenings, yes, so presumably it was (1) produced somewhere in 1982. --- Right.

MR BIZOS: Now I want to show you a document and I want you to please tell His Lordship whether you recognise it. --- Yes, I do recognise it.

ORIGINAL DOCUMENT HANDED IN AS EXHIBIT F.5

Now would you explain that document to His Lordship, please, Miss Schreiner? --- This document is a U C T S R C requisition form, a form that is filled in when material is handed in to the S R C print unit to be printed.

And according to that document, when was it printed? --- (2)  
The date at the top of the document, which is the date that material would have been handed in, is 1 February 1982; the date at the bottom is 2 February 1982, which would be when the printing had been done.

At a price fixed with the S R C? --- Yes.

Now, I want to show you another document, and that is EXHIBIT F.1. I want to tell you something about F.1, Miss Schreiner. F.1 has been produced before His Lordship as a document which was found in the Accused's possession on 22 September 1981. F.1 has been produced before His Lordship, (3)  
Miss Schreiner, as a document which was said to have been found in possession ....



in possession of the Accused in September 1981 and yet another copy such as F.1 has been produced by another police officer as having been given to him by an informer in April 1981. Now I want you to please have a look at EXHIBIT F.1. When did you first see that document? --- I first saw this document when it was shown to me by the Defence.

Now you will notice that F.1 has had the introduction which dates it removed. Had you noticed that? --- I did.

Now EXHIBIT F could possibly have been dated in another way, could it not, and I want to draw, through you, His Lordship's attention to page 17 of EXHIBIT F, m'Lord. The document, EXHIBIT F, could have been dated by possibly reference to the following:

"If as a State witness you give evidence in the box contrary to your sworn statement then you can be charged with perjury. In the Worcester trial last year two witnesses got two year sentences for refusing to give evidence whilst the accused got off."

So that is a possibility of possibly dating the document. I want you to please have a look at F.1. Does it substantially reproduce the article in EXHIBIT F? --- The content of the article does seem to me to substantially reproduce the first section of EXHIBIT F.

Please have a look at F.1 carefully. You have already told us that the introduction which could date it is missing. Is the paragraph commencing, "If as a State witness you give evidence" and to the reference to "last year" - is that paragraph reproduced or not in EXHIBIT F.1? (Pause while witness peruses document.) ... that paragraph in F.1? --- No, I am not.

Did you, when you produced or helped to produce EXHIBIT F, were you .....



were you concerned in concealing its timing in any way, Miss Schreiner? --- If we had been we would not have put in the first paragraph, nor would we have left in references to "last year".

COURT: Sorry, I didn't hear your answer. --- My answer was that if we had been concerned to conceal when the document had been produced we would not have put in that introduction, nor would we have left in references to trials that had happened in the last year.

MR BIZOS: The hypothetical example of a person being taken into (1) Caledon Square is given in EXHIBIT F, and in another place, Rondebosch; and we have already had evidence that Caledon Square is the police station in Cape Town; and Rondebosch - is that another police station?

COURT: John Vorster Square?

MR BIZOS: No, there are two references.

COURT: Yes, but obviously, I may miss your point, although I don't think I am, but it is obvious to any layman that these documents were produced in various manners at presumably all different occasions ... (2)

MR BIZOS: Yes, but the important question ...

COURT: Because they don't correspond - not even the graphics correspond.

MR BIZOS: Yes, but M'Lord, the vital question in relation to the credibility of Maj Cronwright is - who copied who, and why?

COURT: Well perhaps it will come out, perhaps not. I have got three different sets here in front of me, or three different documents - EXHIBIT S(?). They all differ from one another in some material respects.

MR BIZOS: Did you ever change John Vorster Square into Caledon (3) Police Station or to Rondebosch Police Station, or did you do the original ....



the original work? --- There was no need to change. We were working from talks that had been given in a Cape Town context; the places referred to were Cape Town places.

Are you able to give His Lordship an assurance as to whether or not you had seen F.1 at any stage prior to the production of EXHIBIT F? --- I had not seen EXHIBIT F.1 before the production of EXHIBIT F.

And you were concerned intimately with the production of EXHIBIT F in the manner in which you have told us, that it was really from your notes that it was made? --- That is correct. (10

NO FURTHER QUESTIONS.

CROSS-EXAMINATION BY MR SWANEPOEL: Miss Schreiner, you have now seen both exhibits - F and F.1. What is your conclusion about the fact that those documents appear to have a similar content? --- Since I know how EXHIBIT F came into being my conclusion can only be that EXHIBIT F.1 has been drawn from EXHIBIT F.

Why not the other way around? --- As I said, I know how EXHIBIT F came into being.

Do you know what the source of Mr Omar's information was (20 when he gave his talk? Do you know that he didn't have F.1 or a copy of F.1 in his possession and prepared his talk from F.1? --- I know that the questions that were raised in discussion around Mark's detention were the questions that were dealt with in those series of talks.

Do you know that Mr Omar did not have a copy of F.1 before he gave his talks? --- I do not know as a fact.

It is quite possible that he had one and that Mr Davis and the other speakers also had a copy? Is that possible, or not? --- I would say that it was not possible. (30

Why not? --- Because I do not see how EXHIBIT F.1 can be anything .....



be anything other than a copy of EXHIBIT F.

Isn't it possible that EXHIBIT F.1 was produced before F and that the speakers had copies of that document before they gave the talks? --- Can I just explain to you how that first section came to be one unit? There were two talks given on 15 November and on 6 December; what was discussed in those talks was based on questions that we ourselves were asking. It was our questions that determined the content of those speeches. It was then our decision to amalgamate those two speeches into one production. (1)

But you didn't know whether Mr Omar, for instance, based his speech on the document similar to F.1? It is possible he did so - you don't know. Try to be objective, Miss Schreiner. Do you know or don't you know whether he had a copy of F.1 or a similar document? --- I do not know whether he had a copy of a similar ...

And the other speakers, do you know whether they had copies? --- No.

Please look at the two documents, F and F.1; look at the front page. Would you agree with me that there is a difference (2) in the graphics, even on the front page - the one is not a reproduction of the other. Is that correct, or don't you agree? --- I would say that one was a copy of the other, a redrawn copy.

An exact reproduction, the one of the other. --- It is not a photostat of the other - it is a redrawn version of the other.

Ja, it is redrawn - is that right? --- That is correct. Because there are differences in the different graphics. --- There are. (3)

If you look at the first one, the steps, on the one on  
EXHIBIT .....



EXHIBIT F there are eight steps and on the other one there are only five.

COURT: Well they differ in all respects, all four blocks - all six blocks.

MR SWANEPOEL: Yes, all six blocks are different.

COURT: Well we shouldn't waste time on that. If she doesn't want to concede it you carry on with the next question, because it is obvious to anyone.

MR SWANEPOEL: You were in any event not present when the front cover was designed - you don't know anything about how that happened? --- The cover was not designed as a cover; those graphics were designed to fit into the third column on the pages throughout the manual. (1)

But you were not present when the front cover, the format of the front cover was designed or when it was decided on what it should look like? --- No.

It is possible that someone who was responsible for it took F.1 and redrafted it. You don't know because you weren't there. Isn't that so, Miss Schreiner? --- It is. I have knowledge, though, that the graphics for this issue ... (2)

That would be hearsay, wouldn't it - your knowledge? --- I saw some of the graphics that were designed on the basis of that cell shape to fit into the format that we had chosen to lay the publication out by.

NO FURTHER QUESTIONS.

RE-EXAMINATION BY MR BIZOS: When Mr Omar and Mr Davis were speaking were they reading out or were they speaking? --- Mr Omar was speaking; Mr Davis, because he was giving a more detailed analysis of the actual laws had documents in front of him. He did not have a fully prepared speech. (3)

You told us that F was drawn by your group. Now, would you please .....



you please follow F while I am reading F.1, the first paragraph. M'Lord, F and B are the same, M'Lord, that seems to be clear. I will be reading from F.1, the first paragraph:

"In the past twenty years many people have found themselves unprepared for detention."

Now who wrote that? --- I do not know who wrote that.

Was it copied from any document? --- I have no knowledge of how that sentence came into being.

But the paragraph as a whole:

"This includes politicians; e.g. Piet Bylevelde gave evidence (10 for the State, etc."

Now what you were recording; was it something that was read out, word for word, or was it - well, was it a cohesive or a disconnected account, what you recorded? --- What I recorded for this particular talk was notes; it was from my notes that we reconstructed this.

And what went into EXHIBIT F? --- Ja. So it was in no sense a coherent paper.

NO FURTHER QUESTIONS.

COURT: Miss Schreiner, where is Mr Omar and Mr Davis? --- (20 They are in Cape Town.

Are they still at the University of Cape Town? --- Ja.

Did you come up from Cape Town specifically for the purpose to give evidence in this case? --- I did.

WITNESS STANDS DOWN.

MR. BIZOS: I ask for leave to recall Major Cronwright.

COURT: Yes.



ARTHUR BENONI CRONWRIGHT: (v.o.e.) Herroep

RE-CROSS-EXAMINATION BY MR BIZOS: Major, you handed in EXHIBIT B at the Magistrate's Court. --- Nee, ek het nie die dokument ingehandig nie, dit was aan my getoon deur die Landdros.

I do not want to repeat the ground Mr Cronwright, but had you had any consultation about that document before you went into the witness box? --- Nee, behalwe soos ek voorheen getuig het, AO Deetlefs het my genader in die kantoor, my gesê daar is so 'n dokument tussen die bewysstukke (10 van die beskuldigde, mag hy dit gebruik in die klagte wat teen hulle aan die gang was, 'n klagte van aanranding.

Did you not have a consultation about it? --- Nee, u Edele.

Did you study the document? --- Die een in beskuldigde se laaikas, glad nie. Ek het net die voorblad gesien en dit was genoeg vir my, want "Manual on Detentions" is nie ter sake in die saak wat ons teen beskuldigde ondersoek het nie.

When your attention was drawn to the fact that EXHIBIT F (20 after you assured his Lordship that this was the document that you had shown the Magistrate precisely the same, were you taken by surprise by the fact that the date on it made it clear that it was produced during 1982? --- Tot 'n mate u Edele, maar as gevolg van die aandag van die dokument hier in hierdie hof, na ek op kantoor gekom het, het ek myself gaan vergewis of daar 'n verskil is in daardie dokument en die dokument wat nog in die laaikas is van die beskuldigde. Daar het ek my saak tevrede gestel dat daar is wel 'n verskil.

When did you find that out? --- Soos ek alreeds gesê (30 het, na 'n advokaat van die Verdediging dit onder my aandag gebring/...



gebring het, toe het ek vir die eerste keer die dokument in die laaikas gaan self uithaal en besigtig.

Was that before or after you gave an explanation to his Lordship as to how the mistake might have occurred?  
--- Dit was na, want op die oog af het al die dokumente vir my dieselfde gelyk.

As soon as you left the witness box, did you go and ascertain whether the documents were the same? --- Nie dadelik na ek die getuieboks verlaat het nie.

Did you immediately take out F1, the document that (10  
was different, and hand it over to My Learned Friend for the State? --- Het ek F1 uitgeneem onmiddellik? Ek verstaan nie die vraag nie.

When you went and compared the two documents and you found that they were different, did you immediately take the different document to My Learned Friend? --- Nee, ek het nie die dokument vir die advokaat gegee nie, ek het dit laat gee vir hom.

How many days after you discovered this difference did you hand over the document F1 to the Prosecutor? -- (20  
Nee, ek weet nie, dit kon miskien n dag of twee gewees het, ek weet glad nie, want dit was nie so belangrik nie.

If there was this simple explanation, why didn't you immediately you discovered the difference, hand the document over to the Prosecutor? --- Advokaat Swanepoel is geweldig bedrywig in die vervolging in hierdie saak. Daar is baie ander belangrike dinge wat gedurigdeur bespreek was en bespreek moet word, en soos ek alreeds gesê het, hierdie dokument was nie ter sake by die aanklag self nie en het geen waarde by hierdie saak nie. (30

But your credibility was put in issue Major. Your  
credibility/...



credibility was put in issue on the basis that you placed that you said that the document was found in the accused's possession and shown to you on 22 September and you identified that document as a document which was shown to you on 22 September. Do you recall that? --- Ek het verder gekwalifiseer, dit is so, dat daar nog sulke dokumente in omloop is.

Do you recall that you said that that document was shown to you on 22nd? --- Dit is wat ek gesê het u Edele, ek het dit gesê, maar ek het dit gekwalifiseer.

And you were absolutely certain that a document such (10 as EXHIBIT F was shown to you on 22nd? --- Dokument, BEWYS-STUK F was aan my getoon.

But now when you discovered that the documents were different, why didn't you immediately go to My Learned Friend for the State and say look, there is a simple explanation as to how I came to tell the magistrate that this is a document that I found and this is how I made a mistake before his Lordship into saying that this is the document that was handed to me on 22nd? --- Ek het dit met Ons Geleerde Vriend bespreek, met Adv. Swanepoel. Dit kon moontlik daardie (20 selfde middag gewees het of net vroeg die volgende oggend.

Yes, but when was the document handed over to him? --- Soos ek alreeds gesê het, ek kan nie onthou nie.

On the morning that Mr Seyffert produced this document to his Lordship, you were in the vicinity of the court? --- Dit is korrek.

Why didn't you bring the document from John Vorster Square to My Learned Friend, why was it necessary for Mr Seyffert to bring it? --- Die verduideliking daarvoor is ek het nie geweet of ek hof toe kom daardie dag nie. Voor ek (30 die kantoor verlaat het, was mnr Seyffert beskikbaar en

omdat/...



omdat hy heel onafhanklik staan van hierdie ondersoek, het ek hom gevra om die dokument uit die kas uit te haal en hiernatoe te bring. Ek het toe agterna opdrag gekry om hof toe te kom.

It is my unpleasant duty to inform you Major that it will be submitted to his Lordship that F1 was copied from EXHIBIT F and/or EXHIBIT B. What do you say to that? --- Ek kan nie so sê nie. Die dokument wat ons nou indien as die bewysstuk wat tussen die bewysstukke van die beskuldigde was, is die dokument wat ons gevind het wel op 22 September (10 1981.

Major, as an investigating officer of considerable experience, could you please explain to his Lorship what interest anyone might have had in producing F1, that is the document that was found afterwards, the different one, without dates in it, or without any reference to when it was produced? --- Nee, ek weet nie, ek is nie die opsteller van die dokumente nie. Ek weet nie, ek kan nie daarvoor verantwoording doen nie.

Major, as an investigating officer of some experience, (20 I want you to please have a look at page 3 as an example of EXHIBIT F1. (Is that F or F1? Just make sure that they are not the marked ones. May I just have a look at it please, because it may have marks on.) Yes, they have my markings on, but it does not matter M'Lord, I will show it to the witness.

COURT TO MR BIZOS: What page are you dealing with?

MR BIZOS: Page 3 of F1, M'Lord.

MR BIZOS TO WITNESS: If you were investigating who might have produced F1 Major, I want to draw your attention to the (30 spelling of Criminal Procedure Act on page 3. Is anything wrong/...



wrong with the spelling? --- Die PROS is foutief, dit moet "C" wees in stede van n "S".

As an investigating officer, would you say that it is most unlikely that lawyers and people with degrees are likely to spell "procedure" in English incorrectly? --- Ek sal nie so sê nie, maar dit hang af wie die drukwerk of die tikwerk gedoen het. Daar kom sulke foute in.

Have a look at the spelling of the word "amendment"? -- Ja, daar is dubbel "m" daar, dit is definitief ook foutief.

COURT: I stopped calculating after I had detected about (10  
30 differences in the documents. I do not think that is in dispute either. --- Nee, u Edele.

Het u enige kennis van die reproduksie van BEWYSSTUK F1? --- Glad nie u Edele. Eintlik stel ons baie belang in die opstellers, want ons wil hierdie stuk in die ban doen en ons kan dit nie doen alvorens ons weet wie die drukkers of die opstellers is nie. Ons het vermoedens, maar ons kan dit nie bewys nie.

MR BIZOS: Major, would you agree that the only person who would have had an interest if this F1 was reproduced (20  
from F after the event, the only one who would have had a motive or an interest in reproducing it, is you? --- Ek kan nie saamstem nie.

COURT TO MR BIZOS: On what basis? On what evidence do you put that to the witness? Do I have any evidence so far before me indicating that F may not have been reproduced from F1?

MR BIZOS: No, with respect M'Lord, we will submit that. Miss Schreiner's evidence establishes that beyond any doubt and if need be for further evidence to be produced and (30  
the probabilities in the matter in our respectful submission  
make/...



make it clear.

COURT: But unless you have a sound reason or grounds or evidence on which you can put that, I think it is an unfair...

(Mr Bizos interrupts).

MR BIZOS: I want to assure your Lordship M'Lord that if need be, a great number of witnesses can be produced as to the circumstances under which we have... (Court interrupts).

COURT: Well if it had been produced by the security police or someone else, I happen to know that they have people very well proficient in both languages. (10

MR BIZOS: It may be, M'Lord.

COURT: Well do you doubt it?

MR BIZOS: No, it may be M'Lord that there are many who are very proficient and I am sure that they are, but it may well be M'Lord that the mistakes that have been made, may indicate something, or certain inferences... (Court interrupts).

COURT: What do you suggest about the graphics? Those also differ in some material respects.

MR BIZOS: Yes M'Lord, I will come to that. (20

COURT: It is completely a different set-up, the document.

MR BIZOS: Yes M'Lord, but the writing is the same.

COURT: The writing?

MR BIZOS: The writing is the same M'Lord and we will take your Lordship through it in argument, with respect. M'Lord, I must with the greatest respect make a submission in relation to this matter to your Lordship, and that is this: this witness assured your Lordship that EXHIBIT F was the document that you were shown on 22 September.

COURT: Yes, he does not deny it. (30

MR BIZOS: He assured the Magistrate that this document was found/...



found on 22 September. This has turned out to be incorrect.

COURT: Yes, he does not deny that either.

MR BIZOS: Yes, M'Lord.

COURT: But he explains how it happened.

MR BIZOS: M'Lord, we are entitled, with the greatest respect on the rebutting evidence in relation to that explanation to show that that explanation is incorrect, with the greatest respect.

COURT: But that is a question for argument.

MR BIZOS: As your Lordship pleases. I will come to the (10  
question of graphics.

MR BIZOS TO WITNESS: Do you agree that students and others have produced numerous graphics over a long period of time, dealing with the subject matter that there is on F1? ---  
Nie net studente nie, ander organisasies ook.

Yes. So that if anyone wanted to produce F1 hurriedly after your mistake in evidence, he would have been able to lift graphics from other documents? --- Dit weet ek nie, ek is nie n kenner van drukwerk nie.

Would this have been available to be photostated? (20  
--- Na watter verwys u nou?

For instance, the graphic on page 1 of F1. --- Nee, ek weet nie. Ek is nie n kenner van hierdie tipe drukwerk nie, u Edele.

Let us take the graphics that there are in F1. If they appeared in other publications, would it have been easy or difficult for anyone to merely paste them and make a photostatic copy? --- Ek weet nie, ek het nie kennis van drukwerk nie.

When did you discover for the first time that another (30  
copy of F1 was in existence? --- U Edele, na die vervolger  
in/..



in hierdie saak my gevra het om navraag te doen of daar nog so n afskrif al tot ons hande gekom het, het ek Pretoria hoofkantoor gebel, in die persoon van Majoor Abrie, omdat ek die persoon redelike en etlike jare ken, het ek hom gevra of vir my te kyk daar by hulle argiewe, of daar ook so n dokument is.

When did you make that enquiry? --- Dit kan moontlik wees die dag na ek uitgevind het dat daar wel n fout ingesluit het tussen die identifikasie van die twee dokumente: dokument F en F1. (10

And when did you cause that document to be handed over to the Prosecutor? --- Soos ek alreeds gesê het u Edele, ek kan nie onthou nie. Dit kon 2 of 3 dae later gewees het, ek weet nie.

Did Major Abrie not work at John Vorster Square? --- Gedurende 1976 met die onluste was hy betrek by die onluste te Soweto en Alexander. Dit is die tydperk wat ek hom leer ken het, maar hy was nie by John Vorster-plein gestasioneer nie. Na die onluste is hy toe terug na sy eie ligging. (20

HOF: Maar wat het u toe uitgevind toe u hom gebel het? Wat het hy toe gesê, of wat is die posisie? --- Hy het toe later die dag my in kennis gestel dat daar wel twee sulke dokumente is wat ooreenstem met ons sn, BEWYSSTUK F en BEWYSSTUK F1.

Was dit toe in die argiewe van daar in Pretoria? --- Ek weet nie waar het hy dit daar gevind nie, u Edele.

MR BIZOS: Of the numerous persons that were detained by you from 22 September, was anything like F1 found in the possession of any other person? --- Nee. Nie sover as (30 wat my kennis strek nie.

Did/...



Did Major Abrie take part in the interrogation of the accused? --- Hy het op 'n stadium uitgehelp. Ons het ekstra mense ingetrek van verskeie afdelings omdat daar van Pretoria af vir ons gesê was ons moet so gou doenlik die saak klaar ondersoek.

For what purpose was EXHIBIT B handed in to the Magistrate? --- Dit sal ek nie kan verduidelik nie, AO Deetlefs en Prins was weens aanranding aangekla, blykbaar het hulle die aangeleentheid met hul advokate bespreek, dit is dié wat Deetlefs my kom vra het of hy die bewysstuk kon leen. (10 Ek weet nie, ek dra nie kennis hoekom is dit ingedien nie.

Did you not have any knowledge whatsoever of its contents when you gave evidence before the Magistrate? --- Nee, ek het nie, want ek het dit nie deurgeblaai nie.

Is this what you told the Magistrate, on page 90? --- Ek het die Landdros meegedeel dat ek hier en daar na die dokument gekyk het, maar ek het nie die dokument gelees nie, u Edele.

Is this what you say, you are recorded as have said? --- Ek weet nie of ek het gesê het ek het dit nie... (Hof (20 val in rede).

HOF: Laat ons net hoor, die Advokaat wil dit vir u lees wat u gesê het aan die Landdros.

MNR BIZOS LEES GEDEELTE UIT:

"Majoor, ek toon aan u BEWYSSTUK B. Dit is 'n 'Manual on Detention'. U is seker bewus van die dokument? --- Ek is bewus van die dokument.

Was u teenwoordig toe dit gevind was? --- Edelagbare ja, ek was die hele tyd teenwoordig, ek het haar self gearrester en ek het lede wat my vergesel het (30 na haar woonstel toe opdrag gegee om haar hele woonstel te/...



te deursoek.

En was hierdie betrokke dokument, BEWYSSTUK B, in haar woonstel gevind? --- Dit is korrek Edelagbare. Inteendeel was daar só baie dokumente, ons het al die kabinette en goed somer saam met die dokumente gebring, want ons het nie kaste om dit te pak nie.

Dit is nogal 'n lywige dokument, het u dit deurgelees? --- Edelagbare ja, daar is etlike sulke dokumente in omloop waar die aangehoudendes deur verskeie organisasies gesê word wat hulle regte is, hoe hulle kan optree terwyl in aanhouding, hulle magte en dan ook uit ondervraging wat ek as vraer het sedert 1973 met baie opgeleide terroriste en Kommuniste." (10

MR BIZOS: Did you say that? --- Ek het so gesê.

And at page 100, did you say:

"Ek wil hê u moet kyk na BEWYSSTUK B. --- Ek het gister alreeds daarna gekyk.

Maar kan u 'n datum waarop hierdie dokument gepubliseer is miskien uitwys daarin, in hierdie boek, u kan voor- en agterin kyk? --- Ek het die hele boek deurgekyk. (20

Kyk net agter ook by die drukkers. --- Ek het die hele boek deurgekyk.

Laat ek dit so stel: deur wie is daardie dokument gedruk? --- Published by Media Projects, printed on SRC Press, UCT. Dit is Universiteit Kaapstad.

Maar daar is geen datum op nie? --- Geen datum op nie.

So u kan uit daardie dokument nie aflei wanneer hierdie dokument gepubliseer gewees het nie? --- Nee, Edelagbare." (30



Is that what you said, Major? --- Dit is korrek.

Your evidence before his Lordship is that you did not really go through that document and this is how your mistake was made. --- Dit is so. Die een wat in die kas was, in die laaikas van die beskuldigde.

COURT ADJOURNS FOR LUNCH

ON RESUMPTION:

ARTHUR BENONI CRONWRIGHT: (Still under Oath)

CROSS-EXAMINATION BY MR BIZOS: (continued)

Major, when you were giving evidence at the Magistrate's Court, were you aware of the fact that the accused in this (10 case and the complainant in that case had denied that she had any knowledge whatsoever of a "Manual on Detention"? --- Ek het nie daardie kennis gedra nie, ek het nie daardie hofverrigtinge bygewoon nie.

You told his Lordship that you had a look at that document headed "Manual on Detention". --- Dit is korrek, u Edele.

On 22 September on the day of the accused's arrest? --- Ek het daarna gekyk, ek het dit nie deeglik geles nie, u Edele. (20

As a security police officer, surely the first thing that you would look at is who has issued such a document? --- Nee, daar was soos ek alreeds getuig het in die geval van beskuldigde, was daar etlike duisende dokumente om na te gaan en deur te gaan. Daar lê nou nog 'n laaikas vol dokumente.

Yes, but this was a document which was specially brought to your attention, or you took special notice of that, judging by your evidence on the last occasion before his Lordship. --- Onder talle ander dokumente. (30

Now surely you would have looked who it was issued by?

--- Nee/...



--- Nee, ek het alreeds in u hof getuig dat ek speurder-adjutant offisier Prins gelas het om alle dokumente na te vors, ek het nie daarvoor tyd gehad nie.

From September 22nd right up to the time that you answered my questions in this court, did you apply your mind to such a document as a "Manual on Detention" at all?

--- Nie gedurende die ondersoek nie. Ek was bewus daar was so 'n dokument, maar ek het nie verder daarop ag geslaan op daardie stadium nie.

And you did not conduct any investigation whatsoever (10  
in relation to that document? --- Nee.

Nor did you yourself interrogate or ask anyone to interrogate the accused or anyone else in relation to it?

--- Nee, u Edele.

But now how does that square up with your evidence before his Lordship prior to the adjournment, that you would have had a keen interest on this document in order to cause it to be banned, or to be restricted? --- Ek het nou in die hof getuig, vandag, dat indien ons kan vasstel wie die drukkers of die opsteller/s is, dan kan ek dit (20  
so rapporteer aan Pretoria dat hulle dit opneem met die Publikasieraad, maar voor ek gekwessie was in hierdie hof, ten opsigte van die dokument het ek nié belanggestel in daardie dokument nie. Dit het nie gegaan om ANC-bedrywighede nie. Dit gaan oor aanhoudings.

But Major, surely in order to be banned, you do not require a publisher, or who brought it into existence, judging by the contents of the gazette, documents of unknown origin are restricted? --- Dit is so, maar normaalweg word ons gevra wie die drukkers, verspreiders en opstellers is. (30

Anyway, I want to assure you that neither Mr Deetlefs  
nor/...



nor Mr Prins, the two accused in the court below, told the Magistrate that this was a document, EXHIBIT B before the Magistrate, was a document similar to the document that we think was found in the accused's possession which we got from the archives as you say. Will you accept that from me please? --- As dit so is, dan moet ek dit aanvaar, ek was nie by die hofverrigtinge nie.

Do you agree that if police officers, particularly of your rank, give evidence you must be particularly careful that you do not bring the Court into any misapprehension (10 in relation to finding of documents or other evidence Major? --- Dit is so, ek glo nie ek het die Hof onder n valse indruk gebring nie.

No, but before the Magistrate you said that this document, EXHIBIT B, was found in the accused's possession, the complainant's possession in that case. --- Dit is korrek, die dag toe die dokument aan my getoon is, was net die voorblad vir my gewys.

No, but you went further and you said that this is a document which was found and how could you without reading (20 it have said what you are recorded as having said at the bottom of page 90 and top of page 91? --- Die volgende dag was ek gevra deur die Edele Landdros om te kyk of ek n datum kan vind wanneer die dokument gedruk was en of deur wie dit gedruk is.

But now why did you give the Magistrate and assurance that there was no date in the document, when in truth and in fact there was a date in the document? --- Ek sien nog geen datum nie, u Edele. Ek het nie paragraaf-vir-paragraaf of die inleiding geles om te kyk of daar n jaartal of (30 iets is nie. Normaalweg as daar n datum van druk is, en deur/...



deur wie dit gedruk is, is dit gewoonlik heel onder aan die agterste bladsy.

Would you like to read your evidence on page 100, which I read out to you this morning? --- Ek ken my getuienis, u Edele.

You see, you were not asked whether there was a publishing date at the end of it: "So u kan uit daardie dokument nie aflei wanneer hierdie dokument gepubliseer was nie? --- Nee Edelaagbare." --- Soos ek getuig het u Edele, daar in die hof voor die Landdros het ek nie elke (10 paragraaf gelees nie. Ek het vir 'n datum van druk gesoek onder aan die bladsy.

The Magistrate was really looking to you for assistance so that he would not fall into any error in relation to the date of publication or the time of publication and you gave him an assurance Major. --- Dit mag so wees u Edele, maar ek glo nie ek het 'n datum oorgesien nie. As die persone meld dat die dokument in 1982 gedruk is, dan moet ek dit aanneem as moontlik so.

HOF: Dit staan nie so in die dokument nie, daar staan nêrens (20 wanneer dit gedruk is nie. Dit is by wyse van afleiding kan 'n mens vasstel wanneer dit waarskynlik gedruk is, maar dit staan nie daarop wanneer dit spesifiek gedruk is nie. --- Dankie, u Edele.

MR BIZOS: But once a document says the beginning of 1982, it could not possibly have been published in 1981, Major? --- Ek sal nie weet nie.

Now you see, the reason for this is Major, why I am putting all these questions to you is that you gave his Lordship a similar assurance in this court that the accused (30 told you that she was the author of B1. --- Dit is korrek.

How/...



How can we be sure that your assurance in relation to that does not suffer from the same defect as the assurance that you gave the Magistrate? --- Die dag toe ek die dokumente, BEWYSSTUK B1, B2 en ek vermoed dit is seker B3, die handgeskrewe een, aan die beskuldigde getoon het, op daardie tydstip het sy gesê sy is die outeur van al die dokumente.

HOF: Wat se taal het u met haar gepraat? --- Ek het met haar Engels gepraat.

MR BIZOS: What did she say? --- I am the author of these documents. (10

I am the author. What was the question? --- Do you know these documents.

The direct answer would have been yes, I do, they are mine. --- That wasn't - u Edele, sy het verder gekwalifiseer dat sy wel die dokumente ken, sy is die outeur en dat sy dit aan ene Rob Adam oorhandig het vir deursending na London toe.

Did you know when you gave this evidence that the accused would dispute that she was the author of EXHIBIT B1? --- Ek het glad nie daardie kennis gedra nie. (20

When did you for the first time hear that she denied authorship of B1? --- Ek glo nie eers die dag wat die beskuldigde getuig het nie. Ek dink dit het by kruisondervraging uitgekom. Toe het ek dit agtergekom.

Major, that is not correct, with the greatest respect to you. When the trial opened, weren't you sitting here in court? --- Dit is korrek.

When the statement under Section 112 and 115 was read out to his Lordship, were you not in court? --- Ek kan nie onthou nie, ek het nie op daardie stadium ag geslaan op daardie dokument nie. Dit is moontlik dat ek in die (30



hof was.

I am talking about the Magistrate, I am sorry, you seem to have a cold and I don't blame you for that, but I find it a little difficult to hear you at my age. Did you say something about the Magistrate? --- Nee u Edele.

I am sorry, could you repeat your answer? --- Ek het gesê dit is moontlik dat ek in die hof was, indien ek in die hof was, was die dokument blykbaar uitgelees, of ek daarop ag geslaan het al dan nie, kan ek nie onthou dat ek dit gehoor het nie. (10

Because it was read out and you were in court - do you agree that you were in court? --- Ek mag moontlik in die hof gewees het daardie dag.

No, but don't you remember the opening of the trial when the accused pleaded? --- Ja, ek was hierso daardie dag, u Edele.

And don't you remember that immediately after the plea a document was read out? --- Dit mag so wees.

And don't you recall that one of the matters that was put in issue was the authorship of B1? --- Nee, ek het nie op daardie stadium daardie kennis gedra nie. (20

Were you not interested in hearing what the basis of the accused's defence is? --- Ek stel belang in die saak, u Edele.

No, I am sure that you have an interest in the case, but were you not interested to hear for the first time in open court what the basis of the accused's defence is? --- Ons stel normaalweg nié belang in wat die beskuldigde of beskuldigdes se verdediging is nie. Ons ondersoek 'n saak tot die beste van ons vermoë en dié plaas ons voor 'n hof. (30

Yes, I can understand that Major, but after you have worked/...

worked so hard as you have apparently worked in this case and you have come to court and in public for the first time the accused makes known her defence, don't you want to know what it is that she is going to tell the court, whether what she is telling the court is in accordance with your investigations or not? --- Die persoon wat eintlik daarvoor verantwoordelik is, is Kaptein Struwig wie elke dag in hierdie hof is. Ek het gekom en gaan van dag-tot-dag, soos wat dit aan my opgedra is om net hier by te sit en te kyk of daar hulp nodig is. (10

The question Major with respect has not been answered. The question is: you, having worked so hard on this case, would have been particularly interested on the first day to hear what the basis of the accused's defence was. -- Ek het alreeds geantwoord u Edele, ek het nie daardie dag belanggestel in haar verdediging nie.

If you cannot remember what the basis of the accused's defence was when it was read out in open court a week ago, how is it that you can remember the precise words that may have been uttered by her almost a year ago in the absence (20 of any note? --- Hier in die hof is daar baie aspekte wat onder die Hof se aandag gebring word. Vir my om al daardie aspekte te onthou, is miskien onmoontlik, maar een klein voorval waar ek met die beskuldigde ten opsigte van drie dokumente gepraat het, dit is 'n klein voorval, dit is nie 'n ding wat elke dag met haar gebeur het of tussen ons twee gebeur het nie, daarom kan ek dit goed onthou.

Yes, but you see, were you interested in obtaining admissions from the accused at the time that you tendered these documents to her? --- Ek wou by haar vasstel wie (30 die opsteller of die outeur is van die dokumente.



Once she gave you that information so readily, why didn't you make a note of it? --- Ek maak staat op my geheue in so n geval.

But if you wrote it down and you got her to sign it, immediately upon her apprehension, we would not have had the conflict that we are having today. --- Ek sien nog geen konflik nie, ten opsigte van BEWYSSTUK B1 moontlik, maar B2 en B3, sover as wat ek weet, het ons die nodige gedoen, tikskrifmonsters, handskrifmonsters is versend na die SAKB vir vergelyking en dit is toe vasgestel dat dit wel dié van die beskuldigde se tikmasjien en n ander tikmasjien is en dat die handskrif ooreenstem met háár handskrif. (10

Yes, but the question of handwriting does not come into question in relation to B1, does it Major? --- Nee u Edele, ek het klaar geantwoord, ek het alreeds toegegee daar mag moontlik n konflik wees ten opsigte van B1.

I don't understand. Would you mind explaining it Major? --- Omrede u Edele, daardie afskrif B1, was nie n oorspronklike nie. Dit is blykbaar n afskrif van die oorspronklike en ons kon nie die masjien kry of masjiene opspoor wat gebruik was vir daardie spesifieke dokument nie. (20

So what you are really saying is that you could not determine whether or not accused was the author of B1, you could not independently establish it? --- Nee, dit is nie wat ek gesê het nie. Wat ek eintlik sê, ons het nie die masjién opgespoor om te bepaal watter masjién wel die dokument getik het nie, of gebruik was om die dokument te tik.

And you were unable to find such a machine? --- Dit is korrek. (30

The conflict that I was speaking about Major is this: don't you agree that what the accused people or suspect say is written down as it is ought to be done in terms of the Judge's Rules, is for the purposes of avoiding the sort of conflict of fact that we are having now, you saying one thing and the accused saying another as to what was said. --- Daar is party mense wat dagboeke hou, maar by Veiligheid is dit die algemene gebruik dat ons nie dagboeke en notas of aantekeninge hou nie.

No, I am not talking about pocket books Major. Once (10 such an important admission was made to you by the accused, why did you not take out a piece of paper and say, here you are, I have written down what you have said: I am the author of these documents, and I gave them to Robert Adam to send away for me, and got her to sign? --- Ek glo indien ek so sou gemaak het, sou dit nou meer nog 'n kwessie gewees het deur Ons Geleerde Vriend, want dit kom eintlik op 'n bekentenis neer as dit op skrif geplaas word.

I am afraid that you are perhaps anticipating what my attitude would have been, because whether or not is (20 a confession for a person of your rank, would not have made any difference the way I understand the law, Major. --- Dit sou u Edele. Ons het duidelike opdragte van Pretoria van ons hoofkantoor dat offisiere verbonde aan die Veiligheidstak onder geen omstandighede enige tipe bekentenis afneem nie. Daar is 'n staande opdrag daaromtrent.

Yes, that may be as a question of a confession generally in relation to the case, but why not in relation to a very important admission, made to you freely and voluntarily, right up at the moment of arrest Major? --- U Edele, (30 Ons Geleerde Vriend het dit aan my gestel, hoekom het ek



dit nie neergeskryf, laat sy teken en ek ook teken nie.

Dit kom op 'n bekentenis neer.

You see, the accused we will submit generously to his Lordship, said that it is possible that you were mistaken as to precisely what she said, because she was interrogated as to the authorship of B1 during the course of her detention. What do you say to that? --- U Edele, dit is moontlik dat sy verder daaroor ondervra was, maar die dag met haar arrestasie het ek haar persoonlik gevra ten opsigte van BEWYSSTUK B1, 2 en 3. (10

And that throughout her detention she persisted and denied that she was the author of that document. --- Ek was nie by tydens haar ondervragings daarna nie, u Edele.

The other portion of your answer that I find with respect interesting Major is this, that while without reading the document, you were prepared to characterise it to the Magistrate and give him a reason as a senior officer as to why such documents were brought into being. --- Ek verstaan nie daardie vraag nie, u Edele.

You see, you said at page 91: "Edelagbare ja, daar (20 is etlike sulke dokumente in omloop waar die aangehoudendes deur verskeie organisasies gesê word wat hulle regte is, hoe hulle kan optree terwyl in aanhouding, hulle magte en dan ook uit ondervinding wat ek as vraer het sedert 1973 met baie opgeleide terroriste en Kommuniste."

Now how could you have characterise this document in the manner in which you did on page 91, without reading it? --- BEWYSSTUK B wat by daardie saak ingehandig was, verwys word na BEWYSSTUK B, het my kantoor gedurende 1982 bereik. Daardie dokument het ek nagegaan en deurgegaan (30 tot op 'n mate, nie stuk-vir-stuk nie. Die gevaar van die dokument/...

dokument het ek ingesien. Ons is toe ingelig dat daardie dokument se verspreiding en besit totaal in die ban gedoen is en as gevolg daarvan moes ek aandag gee aan daardie tipe dokument, maar op daardie stadium het ek nié na die dokument gekyk in die laaikas nie.

Major, do you agree, have you had an opportunity of studying the document properly now? --- Ek het nog nie behoorlik die vergelykings gemaak op die twee nie, u Edele.

Would you agree or disagree Major that it is really how people who may be quite innocent may protect themselves (10 from the rigors of detention without trial? --- Daar is sulke inligting in die dokument wat die aangehoudene se regte is, en des meers.

Why did you describe that in the manner in which you did on page 91? --- Soos ek alreeds gesê het, daar is etlike sulke dokumente in omloop oor aanhoudings. Nie spesifiek hierdie twee nou voor u agbare Hof nie u Edele, maar oor die aanhoudings oor die algemeen, wie ookal dit gedruk het of versprei het, is die inligting basies dieselfde.

No but you see, you were not asked about documents (20 in general. You were asked about a document that was before the Magistrate, Major. --- As ek reg onthou in daardie getuienis het ek gekwalifiseer daar is etlike sulke dokumente in omloop en ek het hulle toe beskryf.

Would you agree that you were less than careful before the Magistrate in relation to that document? --- Nee, u Edele.

You do not agree, very well. Now Mr Deetlefs, what was the accused's number before the Court? --- Ek weet nie u Edele, ek het hom nog nooit gevra nie en ek het hom tot (30 op datum nog nie gevra nie.

Well/...



Well you gave evidence in court? --- Dit is korrek, maar hulle het op stoele gesit langs hulle advokate.

Yes, correct. --- Ek weet nie wie is beskuldigde 1 of beskuldigde 2 nie.

He was accused no 1. If your evidence is correct, he knew that the document that had been placed before the Magistrate, was not the document actually found in the accused's apartment. --- U Edele, dit is moontlik, dit is miskien onmoontlik, ek weet nie of AO Deetlefs die dokument wat ek hom gesê het hy kán gebruik, wat in die argiewe was, vergelyk het met dié wat in beskuldigde se laaikas was nie. Ek weet glad nie. (10

If your evidence is correct as to the conversation between you and Mr Deetlefs, Mr Deetlefs knew that the document, EXHIBIT B before the Magistrate was not the document that was found in the accused's apartment. --- Ek weet nie u Edele. Wat in n ander man se gedagte omgaan of wat hy weet, kan ek nie voor verklaar nie. Dit is moontlik dat hy net n verkeerde dokument by ons argiewe sy hand daarop geplaas het, want dit lyk op die oog af dieselfde. (20

If Mr Deetlefs understood your instructions correctly and he did what you asked him to do, he could have had no doubt whatsoever that the document that was before the Magistrate as EXHIBIT B, was not found in Miss Hogan's apartment. --- U Edele, ek weet nie of hy n vergelyking getref het na hy die dokument geneem het uit die argiewe nie. Ek dra nie daardie kennis nie.

Because on page 57 to start off with, he specifically identified that document as the document which was found in Miss Hogan's possession. --- Ek weet nie daarvan nie u Edele, ek was nie by die hofverrigtinge nie. (30

Please/...

Please take an assurance from me in this regard.

COURT: Mr Bizos, where is this all leading us to?

MR BIZOS: The reliability of the witness, M'Lord.

COURT: I think you have covered that very extensively now. You have put the same question to him now about 3, 4 times, exactly the same question.

MR BIZOS: No, this one I do not think I remember getting an answer to M'Lord.

COURT: The question whether he knew, if his answer was true, then whoever the other person was, must have known (10 that that could not have been the document. How can he say? He answered to that. He says well, I cannot read his mind, I do not know what went through his mind at the time.

MR BIZOS: Well, what I want to put to you Major is this: what is Mr Deetlefs rank? --- Hy is n speurder-adjutant offisier, u Edele.

If the Warrant Officer says under oath that EXHIBIT B is the very document that was found in Miss Hogan's apartment, how could he possibly have said that if there had (20 been the arrangement between you and him in relation to the document in the archives? --- Ek kan nie verklaar vir wat n ander man in die hof gesê het nie.

Now Major, you told his Lordship before the luncheon adjournment that you did not consider this document relevant to this case? --- Dit is so en ek beskou dit nou nog so, u Edele.

Now what would then have been the purpose of not releasing the document to Mr Deetlefs for the purposes of his defence, when he asked it of you, according to your evidence? -- (30 Baie u Edele. Met sulke aanhoudings het die beskuldigde of/...



of die aangehoudene by vrylating die volste reg om alle dokumente wat ons nie in ons ondersoek gebruik het of as bewysstuk gebruik het, terug te eis, en sy sou geregtig gewees het om daardie dokument weer op te eis. Ek kan nie dan vir haar sê nee, ek is jammer, ek gee nie die dokument vir jou nie. Daardie dokument is nie in die ban gedoen nie.

Why couldn't a photostatic copy be made of the very one that was found in the accused's possession? --- Ons kan dit nou doen u Edele, maar die een wat in haar laaikas (10 was, sou moes teruggegaan het na haar toe as sy dit opgeëis het.

But why was it necessary to make a photostatic copy from one in the archives? --- U Edele, daardie dokument in haar laaikas het niks te doene gehad met hierdie saak nie, derhalwe wou ek dit nie laat uitgaan nie.

NO FURTHER QUESTIONS

STEPHANUS JOHANNES PAULUS ABRIE: (Sworn States)

HER-KRUISONDERVRAGING DEUR MNR BIZOS: Majoor, waar was u gestasioneer gedurende 1981? --- 1981 was ek gestasioneer (20 te Veiligheidshoofkantoor, Pretoria.

Het u 'n kantoor in John Vorster-pleingebou gehad? --- Ek het nie 'n kantoor gehad hier nie, maar ek het wel besoeke gebring aan John Vorster.

Was u betrokke in die ondervraging van aangehoudenes gedurende 1981? --- Ja, ek was betrokke sover dit aspekte bedryf omtrent ANC konnotasies op arbeidsterrein, heeltemal korrek.

Vir hoe lank het u in Johannesburg by John Vorsterplein gewerk gedurende 1981? --- Vir 1981 vir ononderbroke (30 - onderbroke tydperke, ek kan my herinner dat ek vir een stadium/...

stadium n maand hier was en toe weer weg was vir n rukkie en toe weer teruggekeer het en alles tesame seker so twee maande.

Wie is in beheer van die archives (wat is dit in Afrikaans, is dit dieselfde woord?) waar al die dokumente aangehou is by Pretoria? Wie is in bevel daar? --- Die ding is, ons het daar argiewe, maar die ding is, soos byvoorbeeld arbeid het ons ons eie biblioteek hiervoor.

Wie is in bevel van die argiewe? --- Die argiewe, wat ek bedoel die arbeidsargiewe, ek is in beheer daarvan. (10

Wie is in bevel van die argiewe? --- Die argiewe by hoofkantoor, Brigadier du Plooy.

Brigadier du Plooy? --- Dis korrek.

Het die dokument Fl enige betrekking aan u spesialiteit of u behoorte? --- Ek sal so sê, want hoe kan n mens arbeidsterrein wil losmaak van terrorisme. Die aanslag is op die breë terrein, ek meen n mens kan dit nie losmaak nie.

Is daar enigiets spesiaal in Fl in verband met u werk in die arbeidsterrein? --- Ja, dit is spesiaal, want soos die ANC bedrywig is op politieke vlak, so is hy bedrywig (20 op ekonomiese vlak.

Wat het die dokument te doen spesiaal met die arbeidsterrein? --- Hy het te doen met aanhoudings en aanhoudings kan verband gebring word met jou arbeidsterrein.

Hoe is die arbeidsterrein betrokke by aanhouding? --- Dit is waar ANC Kommunistiese elemente die arbeidsveld geïnfiltreer het.

Die dokument Fl, was dit ooit in Brigadier du Plooy se besit? --- Nie wat ek van weet nie.

Het u enige afskrifte van Fl gemaak en aan enige ander (30 senior offisier gegee? --- Nee, nie wat ek kan onthou nie.

Wat/...



Wat het u gedoen met die dokument wat die beriggewer aan u gegee het in Aprilmaand verlede jaar, Majoor? --- Ek het die dokument gelees, maar daar is geen naam wie het hom gedruk nie en dit bemoeilik jou saak. So jy moet hom begin ontleed en probeer bepaal wie hét hom gedruk.

Het u enige ondersoek ingestel in verband met die oorkoms van BEWYSSTUK F1? --- Ja, ek het... (Mnr Bizos val in rede).

Wat se ondersoek het u gedoen? --- Ek sal u sê dat ek het nie net by John Vorster wat ek ondersoek - gehelp (10 het met ondersoek nie, dit is regdeur die RSA en noodwendig was ek daarop ingeskerp om te kyk of ek moontlik nie 'n konnotasie kon kry nie.

Majoor, wat se ondersoek het u ingestel in verband met die oorsprong van BEWYSSTUK F1? --- Wat se ondersoek. U Edele, die ondersoek wat ek ingestel het is om my bron te vra om vir my ondersoek in te stel wie is die outeurs van die stuk.

Die bron wat u nie gewillig is om te noem nie. --- Dit is heeltemal korrek. (20

Het u enige ander ondersoek ingestel? --- Nee, ek kan nie sien hoe kan 'n mens 'n ander ondersoek instel nie, want die outeur is nie bekend nie en ek werk op hoofkantoor, ek het mos baie ander take ook om te doen.

Wel, ek sal u voorstel wat se ondersoek u kon gedoen het, byvoorbeeld maak afskrifte en stuur dit na die ander takke van die Veiligheidspolisie byvoorbeeld en hulle vra om miskien te probeer uitvind wat die oorsprong van die dokument is. --- U Edele, ek stem nie saam nie. In hierdie dokument verwys hulle dan duidelik na John Vorster-plein. (30 Hoekom moet ek dit nou aan die hele RSA beskikbaar stel?

Ek/...

Ek kan nie die nut daarvan sien nie.

Het u dit goed gelees? --- Hoe sê u? Verskoning.

Het u dit goed gelees? --- Ek het dit nie goed gelees nie, vlugtig deurgegaan, ja.

Maar hoe kan u die ondersoek instel as u dit nie goed lees nie, omdat dit maak nie melding net van John Vorsterplein nie. --- Dit is baie maklik. As 'n mens 'n ondersoek doen, dan soek jy na spesifieke dinge. Ek het na spesifieke dinge in hierdie stuk gesoek en ek het dit gekry. In die eerste plaas maak hulle melding van die Movement. In die (10 tweede plaas maak hulle melding van "comrades" en dit bring ek in verband met die ANC en sy alliansie.

O, ek sien. --- Dis reg.

Goed. Nou u sê dat dit was onnodig om dit verder ondersoek in te stel, omdat dit het melding gemaak van John Vorsterplein? --- Dis korrek ja.

Maar wat van Rondebosch? Het u nie dit opgelet nie? --- Nee, ek het nie soiets opgelet nie.

Ek is seker dat u het dit nie opgelet nie, Majoor. Ek sal aan u stel Majoor dat dié dokument Fl na Februarie (20 1982 gemaak is. --- U Edele, dit is onmoontlik.

Was daar enige spesiale rede waarom mnr Cronwright u sou gebel het in verband met die inligting in die dokument en nie Brigadier du Plooy, wie in beheer van die argiewe is nie? --- Ja, ek glo seker u Edele omdat Majoor Cronwright ken my. Ons was 1976 en 1977 saam tydens die onluste en weer gedurende 1981 vir 'n kort tydperk en ek glo dit moet die rede wees. Ek kan geen ander rede sien nie.

Ja, en hy was baie gelukkig dat hy toe opgebel het, u hierdie behulpsume inligting gehad het. --- Wel ek kan (30 nie sê hy is gelukkig nie, ek weet nie wat sê hý nie.

Gewoonweg/...



Gewoonweg dié dokument sou nie by u kantoor aangehou word nie. --- Nee. Die ding is dat Arbeid het ook sy argiewe. Arbeid is n gespesialiseerde veld en ek glo ons moet kennis neem daarvan.

U was besig in die ondersoek van die saak van die beskuldigde, u het haar ondervra? --- Ten dele, sover dit haar konnotasie met South African Allied Workers' Union aanbetref.

GEEN VERDERE VRAE DEUR MNR BIZOS

HER-KRUISONDERVRAGING DEUR MNR SWANEPOEL: Majoor, wat (10  
is u werksveld in u werk by hoofkantoor? --- Dit is die  
arbeidsveld.

Was daar in die saak waarin die beskuldigde aangehou is, mense van vakbonde aangehou ook? --- Ja, daar was mense van vakbonde aangehou.

GEEN VERDERE VRAE DEUR MNR SWANEPOEL

HOF AAN GETUIE: Kan u net weer vir my herhaal: hoe het dit gekom dat in April verlede jaar daardie dokument aan u oorhandig is? Wat het daartoe aanleiding gegee? ---  
U Edele nee, ek het n bron wat ek hanteer en die bron sien (20  
ek periodiek en dit was op die 16de moes ek hom weer sien.  
En toe het hy die dokument aan my oorhandig.

Hoe het die bron geweet dat u sou belangstel in daardie dokument? --- U Edele, gewoonlik is dit nie n geval dat - hy bring maar alles en dan ontleed ek wat ons nodig het of wat is van belang.

Wat het u toe daarmee gemaak? --- Ek het dit toe geneem met ander wat ek ook gekry het by hom en dit ontleed.

Waar het u dit toe gehou? --- Ek het dit in ons Arbeids-argiewe gehou, by hoofkantoor. (30

Die afdeling van Arbeidsargiewe? --- Dit is korrek

ja/...

ja, u Edele.

Het u dit daar geliasseer of wat ookal? --- U Edele

ja, geliasseer.

GEEN VERDERE VRAE

CASE FOR THE DEFENCE

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COURT TO MR SWANEPOEL: Mr Swanepoel, what is the arrangement, do you need time?

MR SWANEPOEL ADDRESSES COURT: Yes M'Lord, and we discussed a date, I think on Monday 6th of September, next week Monday (10 I think.

MR BIZOS ADDRESSES COURT: Yes, that would be so M'Lord, we hope to do heads of argument which may be of some assistance to your Lordship in this regard.

COURT: Yes thank you, I will appreciate that.

The case will stand postponed until the 6th and if necessary also 7th September.

COURT ADJOURNS

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(30



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COURT ADJOURNS

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