

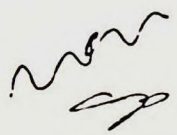
AFFIDAVIT

I, the undersigned

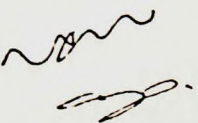
DENNIS ANTONIE VAN HEERDEN

DO HEREBY MAKE OATH AND SAY that -

1. I am an adult male at present residing at 49 Mendelsohn Avenue, Glendower.
2. I am the father of Auret Dennis van Heerden and Clive Read van Heerden.
3. Save where appears from the context the facts deposed to herein are within my own personal knowledge.
4. On September 23rd 1981 my son, Auret Dennis van Heerden, was arrested by the Security Police and taken to a place unknown to me. On 8th October his detention order was changed to Section 6 of the Terrorism Act.
5. After repeated requests to see Auret I was informed on 12th October 1981 by Colonel Olivier that it would not be possible at this stage.
6. On 24th October 1981 my son, Clive Read van Heerden, was detained under Section 22 of the General Law Amendment Act and taken to a place unknown to me. On 7th November 1981 his detention order was changed to Section 6 of the Terrorism Act.
7. On Wednesday 28th October 1981 I again requested that I be allowed to visit my sons, but was informed by Colonel Olivier that this was not possible.




8. On 4th November 1981 I was informed by General Coetzee of the Security Police that my requests to see my sons had been granted and that I should contact Colonel Muller to make the necessary arrangements. Colonel Muller informed me that General Coetzee's sanction notwithstanding he could not allow me to see Auret, the reason being that Auret was at this stage co-operating fully with the Security Police and that if Auret saw me, his attitude might change. Colonel Muller did however agree to my visiting Clive.
9. I visited Clive at John Vorster Square on 10th November 1981 in the presence of Colonel Muller and a Mr. van der Merwe. I found Clive to be in a good physical and mental state.
10. During the period 10th November 1981 to 1st December 1981 I made repeated requests to see Auret all of which were refused. The reason for the refusal being that Auret was still co-operating with the Security Police and not available for a visit. My concern about not being allowed to see Auret was heightened by the condition of his clothing handed to me on 13th November 1981. I showed the clothes to Sergeant Joubert of the Security Police and stated that I found it impossible to believe that clothes could get so dirty from normal wear and that it looked to me as if Auret had been manhandled. Sergeant Joubert replied that if Auret had, they would not have returned the clothing to me and that in any event I should understand that Auret was not being held in a Five Star Hotel and that the cells did not have wall to wall carpets fitted.





11. On 3rd December 1981 I wrote to the Minister (letter attached) expressing my concern and demanding to see Auret.
12. On 8th December 1981 I was contacted by Colonel Olivier and informed that my wife and I would be allowed to visit Auret on 17th December 1981 and Clive on 18th December 1981.
13. My wife and I saw Auret at John Vorster Square on 17th December 1981 in the presence of Warrant Officer Patou of the Security Police. We found Auret to be in good health and in good spirits, considering that he had at that stage been in detention for nearly three months.
14. On 18th December 1982 my wife and I visited Clive at John Vorster Square in the presence of Captain van Rensburg. We found Clive to be in a very poor physical and mental state. He stated that he had developed haemorrhoids which were causing him considerable discomfort. He also made the remark that they were the result of being "vertical". He also stated "sotto voco" that whatever happens he wanted us to know that we was not ashamed of anything he had done. I was so upset after seeing Clive that I contacted Captain van Rensburg and informed him that I intended writing to the Minister as I was not satisfied with Clive's physical state. Captain van Rensburg said I could do so if I wished but gave me his personal assurance that Clive would receive medical attention if necessary. For fear of having future visits stopped I decided not to write to the Minister and to assess Clive's condition at a future visit.






15. On January 21st 1982 at about 11h00 my wife and I were allowed to visit Auret. The visit took place at John Vorster Square and lasted for about 30 minutes. Other people present were two typists, a Security Policeman and for short periods Captain van Rensburg of the Security Police. Because the other people present were engaged in conversation amongst themselves, it was possible for Auret, his Mother and I to converse "sotto voce". Salient points to emerge from our conversation were:-

- (a) That he had been subjected to 24 hours of interrogation so severe that he was both physically and mentally incapable of enduring any more and as a result decided to co-operate with the Security Police. When I asked whether physical means were used he replied in the affirmative. This interrogation took place soon after his detention.
- (b) That he did not, for reasons of his own disclose the nature of his interrogation to the Magistrate that visited him.
- (c) That he would almost certainly appear as a State Witness if there was a trial but that he did not feel he would be revealing any facts the Police did not already know as other Detainees had confessed.

On this occasion Auret whilst physically fit appeared to be under some mental strain.

16. On the same day we visited Clive in the presence of a Security Policeman and Captain van Rensburg. Clive appeared to be much improved since our last visit and stated that he had been



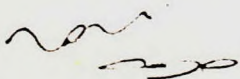
receiving medical attention for his haemorrhoids. He stated that he had been told before Christmas that he was going to be released but that nothing had transpired. He also thought that his detention section was likely to be changed.

17. On 5th February 1982 I was informed of Neil Aggett's suicide and immediately requested an interview with Colonel Muller. Colonel Muller appeared very upset and allowed me to see Auret for a few minutes. Auret appeared nervous and under strain but assured me that he was alright.
18. The following day (6th February 1982) I was allowed to see Clive, who under the circumstances appeared to be fit and well. One of the Security Policemen present (name unknown) stated that it was their wish that "both the van Heerden boys would leave here free men". Clive indicated that he was not likely to give evidence as he had nothing to which he could testify. He also confirmed, as did Auret, that him and Auret had been allowed to see each other.
19. On 8th February 1982 I requested a further visit to Auret as the previous one had been too brief. This was granted and my wife and I saw Auret on 9th February 1982 in the presence of Warrant Officer Patou. Auret appeared to be in good health and also expressed a desire to enter for the Comrades which is held sometime in May 1982. I took this to mean that he expected to be released by then.





20. Throughout the period described above, I have been in constant contact with my legal advisers.
21. When I received the information relating to the maltreatment of Clive and Auret I immediately communicated this information to my legal advisers.
22. In consultation with my legal advisers I decided not to take any action on the allegations of maltreatment for the following reasons:-
  - (a) I was led to believe that it was unlikely that a court would grant an interdict restraining the Security Police from assaulting my sons as the evidence in my possession could easily be rebutted by the Security Police. Furthermore, I had no reason to assume that Auret and Clive would be assaulted in the future and there was therefore no impending danger which would be averted by an interdict. I was advised that even if an interdict were granted, there was no method of enforcing the order since nobody other than the Minister or a policeman acting in the course of his official duties was entitled to access to a detainee held under Section 6 of the Terrorism Act. Accordingly, I would have no means of ensuring that the order would be obeyed.
  - (b) I did not report the allegations to the Security Police as I believed this would serve no purpose at all. If the allegations were true, it would not help to report the matter to the alleged perpetrators of the assaults.



- (c) I did not make the allegations of torture known to anyone other than my legal advisers because I feared that my sons would be victimised if it were found out that they had claimed to have been maltreated. I feared that they may be victimised by further assaults or by the withdrawal of the meagre privileges which had been granted to them. I was also worried that the visiting privileges that have been given to me, my wife and my sons friends would be withdrawn.
23. When I visited Auret on the 9th February 1982, I tried to indicate to him that I could take legal action on his behalf depending on his mental attitude. By virtue of the presence of Security Policemen, I was not able to spell out what action I had in mind. Auret indicated that he did not wish me to take any legal action on his behalf.
24. I have no reason to doubt the allegations made by Auret and Clive concerning their treatment in detention.

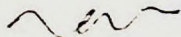


SIGNED AND SWORN TO AT JOHANNESBURG on this the 25th day of February 1982, the Deponent having acknowledged that he knows and understands the contents of this Affidavit.

BEFORE ME



COMMISSIONER OF OATHS

 ANDREW JAMES SIMPSON SEBBA

Commissioner of Oaths

Ex Officio

Commissioned Officer S.A.D.F.

45 Main Street, Johannesburg 2001

**Collection Number: AK2216**

**AGGETT, Dr Neil, Inquest, 1982**

**PUBLISHER:**

*Publisher:*- Historical Papers Research Archive

*Location:*- Johannesburg

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