

INQUIRY INTO THE BOIPATONG MASSACRE

VEREENIGING

DATE 1992-08-11

MEMBERS OF THE COMMISSION:

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(Vice Chairman)

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KWAZULU GOVERNMENT:  
AND INKATHA FREE-  
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ADV L J L VISSER (SC)

HOSTEL DWELLERS:

ADV V BOTHA  
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SOUTH AFRICAN  
DEFENCE FORCE:

ADV A W MOSTERT (SC)  
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MINISTER FOR LAW AND  
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AFRICAN POLICE:

ADV P A HATTINGH (SC)  
ADV W L WEPENER  
ADV J L C J VAN VUUREN

PWV REGION OF THE  
AFRICAN NATIONAL  
CONGRESS: ANC (VAAL)  
AND THE VAAL COUNCIL  
OF CHURCHES:

ADV A CHASKALSON (SC)  
ADV D KUNY (SC)  
ADV K S TIP

THE COMMISSION:

ADV J J DU TOIT

INTERPRETER:

MR J A BOOI

VOLUME 8

(Pages 424 - 508)



If Sergeant Kruger wanted to search, what would he do?  
-- Hy sou versterkings moet aangevra het. (He would have had to ask for reinforcements).

Hmmm, and the reinforcements would have been sent? -- Ja, dit sou gestuur gewees het. (Yes, it would have been sent).

We know for instance that 21-Battalion was in fact sent for that evening. Is that not correct that 21-Battalion was sent for that evening? -- Ja, dit is die groep wat met die drie voertuie later op die toneel opgedaag het ook, dit is reg. (Yes, that is the group that arrived in three vehicles at a later (10 stage)).

And there were a number of men in each of the three vehicles? -- Ja, omtrent so vyf mense in elke voertuig. (Yes, about five people in each vehicle).

Well, let us leave it to one side for the moment. What I understand you to be saying is that if Sergeant Kruger, it would be Sergeant Kruger's responsibility if he needed reinforcements to call for them and to say there is a need to search the KwaMadala hostel. It will be his responsibility? -- Ja, daar op die toneel daarso, as hy dit nodig gevind het. (At the scene<sup>(20)</sup> yes, if he thought it necessary).

Now, I would like to take you away from the scene for a moment, Major Davidson to your first report. You don't really need to have it in front of you, there is a paragraph 3.1 in the report and you can have it in front of you if you like. It is part of EXHIBIT 9. Perhaps we could - it starts by saying:

"The residents of the Boipatong Township including Slovo Park mainly comprise pro-ANC or ANC-orientated people. On the other hand the residents of KwaMadala (30 hostel/....



"hostel are mainly Zulu-speaking and supporters of the Inkatha Freedom Party."

Can I ask you Major Davidson, did you know that at the time or is this something you discovered only during your investigations? -- No, this - ek het deur die loop van my ondersoek het dit maar tot my kennis gekom. Ek het hierdie gebied nie vroeër geken nie. (This came to my attention in the course of my investigation. I did not know this area).

Do you remember where you got that information from, was it from the ISU at Vereeniging? -- Ja, dit was van die ABS Vereeniging, dit was van navrae wat ek gedoen het by ander polisiemanne. (Yes, it was from the ISU in Vereeniging. I had been making enquiries with other policemen). Ek het ook navraag gedoen by van die inwoners in Boipatong, enkeles wat met my wou praat. (I had also made enquiries with inhabitants of Boipatong, a few that were prepared to speak to me). (10

Yes, but I am interested at the moment in the earlier part of your answer, I understand you to say that you were told this by people at - by the ISU, people in the ISU in Vereeniging and people in the South African Police in Vereeniging. -- Yes; (20 Mr Chairman.

Would it be correct to say that this was a matter of common knowledge to the police in that region? -- Ja, I would say so.

Would it also be correct to say that as far as KwaMadala was concerned, it was seen as an Inkatha stronghold in the region? -- Ek weet nie wat presies bedoel u by "Inkatha stronghold" maar dit is - daar bly oorwegend, of van die mense wat daar bly is Inkatha-gesinde mense. (I do not know what you actually mean with "Inkatha stronghold", but of the people who/.... (30



who stay there are predominantly Inkatha supporters). Nee, nee, ek sê nie..(tussenbei).

TOLK: Oorwegend, Het u nie gesê "oorwegend"?

MR CHASKALSON: It is a wrong translation. -- Nee, dit is nie, ek het gesê..(tussenbei).

MNR HATTINGH: Die mense is oorwegend - die mense is Inkatha-gesind, he said. -- Ja, hulle is.

MR CHASKALSON: He said "oorwegend".

TOLK: Hy het gesê "oorwegend Inkatha".

MNR HATTINGH: No, he said "oorwegend", he corrected himself (10 and then had another sentence, "is Inkatha-gesind". -- Ja, gesind. (If that is the case then it is Inkatha-oriented). Ja, dit is reg.

MR CHASKALSON: And the - would it be fair to say - well, let us leave that for a moment, the precise terminology, but I would like to come back to paragraph 3.1 and read the next sentence to you. You say:

"Although the KwaMadala hostel is situated on the property of Iscor it is not managed or run by Iscor. This hostel is privatised". (20

What do you mean by "privatised"? -- Wat ek hierso bedoel het, meneer die Voorsitter, (What I meant here, Mr Chairman), is dat normaalweg by hostelle van Yskor, (it is that normally in Iscor hostels), word mense van kos voorsien by 'n tipe van 'n menasie en daardie tipe van ding. (people are supplied with food in some kind of a mess). Sover ek verstaan is baie van die inwoners wat in KwaMadala bly voormalige inwoners van KwaMasiza hostel gewees. (Insofar as my understanding goes many of the inhabitants of the KwaMadala hostel were former inhabitants of KwaMasiza hostel). So hierdie hostel was (3

ontruim/....



ontruim gewees op 'n stadium, hierdie KwaMadala was ontruim op 'n stadium. (The KwaMadala hostel it had the people removed from it at some stage, or was unoccupied at some stage).

CHAIRMAN: Was evacuated? -- Ja. (That is right). Van die mense wat blykbaar dan by KwaMasiza gebly het is volgens wat ek verneem. (According to information some of the people who had been inhabitants of the KwaMasiza), is daar uitgedryf deur van die ander inwoners. (had been driven out from there by some of the other inhabitants). Goed. Hulle het toe nou teruggegaan KwaMadala toe en die plek weer betrek. (Now these people had (10 gone back to KwaMadala and they again occupied this place). Op 'n stadium is daar toe nou blykbaar toestemming gegee deur Yskor dat hulle maar daar kan bly maar hulle sal selfonderhoudend wees. (Permission had at some stage apparently been given by Iscor and they would then stay in this area and be self-supporting, stay in the hostel and be self-supporting).

MR CHASKALSON: Now, in fact if I understand what you are saying is that the number of people took over an abandoned hostel and subsequently, with Iscor's consent, remained there? -- Ja, sover ek verneem het was dit om humanitêre redes want (20 hulle het geen ander plek gehad om te bly nie, hulle is deur die ander inwoners uitgedryf. (Yes, insofar as I could gather this was on humanitarian grounds. It was also to afford them accommodation because they had been driven out by other people).

Now, in paragraph 3.1 you refer to the background circumstances in which the hostel was occupied, and you refer to complaints of intimidation which certain people in the hostel have against the ANC, I think you will see the reference to intimidation in the last paragraph, or the last sentence of paragraph 3.1. -- Yes, Your Worship - Mr Chairman. (30

Did/....



Did you know - let me step back a bit. I assume that during the course of your investigations you also discovered that there had been numerous prior complaints made to the police about violence emanating from KwaMadala hostel? -- Ja, dit is so, ek het later gehoor dat daar sulke bewerings was, meneer die Voorsitter. (Yes, that is so. I did hear of such allegations later).

But when you say "later", was this during the course of your investigations, or after you had completed your investigations? -- Dit was deur die loop, it was during the course (10 of the investigations.

Would it have been before the 1st July when you had - you were in a position now to report to the Commission about the background? -- Ja. I think it was before the 1st July, the 2nd.

Now, you do not mention that at all in your report to the Commission. Did you not consider that a relevant matter? -- Well, my investigation was to the involvement of police, of die bewering van polisiebetrokkenheid in hierdie aanval. (The allegation of police involvement in this attack). En uit die ondersoek wat ek gedoen het, was dit vir my duidelik dat (20 hierdie voorval (it became apparent that in this instant, this became apparent in the investigation that I had conducted) dat hierdie voorval nie 'n spesifieke verbintenis met 'n lang geskiedenis moontlik gehad het nie. (That this incident possibly did not have connection with a long history).

I am sorry, I am not sure that I understand you correctly. Is it that your investigation showed that the incident did have connections with a long history, or that it did not have connections with a long history? -- Nee, dat hy het nie 'n verbintenis met 'n lang geskiedenis gehad nie. (No, it is that it(30 had/....



had no connection with a long history).

But let us take this in stages, I think you said that there had been a series of complaints about KwaMadala hostel made prior to the incident? -- Ja, ek het gehoor daar was so 'n reeks van klagtes gewees. (Yes, I had heard that there had been such a series of complaints).

And those complaints included specifically complaints that the ISU in Vereeniging or the Vereeniging police would not take action against the KwaMadala hostel residents? -- Ja, daar was sulke bewerings ook. (There were also such allegations, yes). (10

And part of the allegation which you were investigating on this occasion, was that the ISU on this occasion was associated in some way with the attack and did nothing to prevent it? -- Ek was tevrede uit die ondersoek wat ek gedoen het, (I was satisfied in the investigations that I had conducted) dat die polisie, die gewone uniformtak of the ABS of die Weermag geen deel aan hierdie aanval gehad het nie. (that the police, the ISU, the uniform branch and or even the SADF had taken no part in this attack) en dat die aksies van die polisie van die oomblik dat die berigte van probleme ontvang was, dat dit (20 vinnig en - dat dit vinnig gewees het en dat dit (and that the actions of the police from the moment that the calls had been received) dat hulle vinnig opgetree het om te probeer vasstel wat gaan aan (were that of quickly acting so as to find out what had taken place).

In paragraph 6.3.7 of EXHIBIT 9 you referred to allegations made by two South African police assistants who were attached to the Evaton satellite police station. -- Which page is that?

It is page 17 of Annexure A to EXHIBIT 9.-- Ja.

You refer to allegations by two South African police assistants/.... (30



assistants to the effect that attackers were transported by police casspirs and that white policemen took part in the attack. Is that correct? -- Ja.

You said those were being investigated? -- Yes, Mr Chairman.

You mention the name of the two policemen? -- Ja.

Are they still part of the South African Police? -- Tlaba and Selo.

Yes. -- Yes.

They are still in the Force? -- Yes, they are police assistants. (10

Did you take statements from them? -- Yes, statements were taken from them.

Have those statements been given to the Commission? -- No.

No. -- It has not been given.

Are these two police assistants, do you know where they are stationed? -- Yes, they are stationed at - I think the one is at Evaton, hmmm, and the other one..(intervenes).

MR DU TOIT: Mr Chairman, they are stationed at the police station and we are at the moment busy interviewing them.

MR CHASKALSON: You see, Major Davidson, what interests me is (20 why in your report, and you do it there and you do it again I think in - you do it later on in your report somewhere else I do not want to dwell on it in any detail but you refer to the complaints that the KwaMadala residents have against the ANC and ANC-supporters but you say nothing at all about the attacks against the ANC-supporters and the complaints which have been raised in that connection as far as KwaMadala hostel dwellers are concerned. -- Praat u nou van die lang geskiedenis vooraf? (Are you now talking about the long history before this? ) (3

Yes/.....



Yes. Yes, and let me make it clear to you, what I am suggesting is in your report you record part of the history, that part that supports the KwaMadala hostel dwellers or the Inkatha side of the account and you say nothing at all about the complaints which were made from the ANC side for a long time, or the Vaal Council of Churches side, who are my clients in this matter as well, for a long time before this incident. It is simply not mentioned in your report at all. -- Die rede hoekom ek hierdie - as u dit dan nou klagtes noem van KwaMadala mense hier ingesit is (If you now refer to this as complaints (10 from the KwaMadala people) was bloot om die situasie te probeer verduidelik (the reason for me putting that in here was simply to explain the situation). Van die mense in KwaMadala hostel dit is al, net om te verduidelik hoekom is hulle in die hostel. (It is to explain why these people were in this hostel, the KwaMadala hostel).

But isn't part of the investigation also to, when you are looking for suspects, to - and looking at the situation of the police on the day, to know that there was also a long history of complaints having been made of violence having been perpetrated (20 by residents of the KwaMadala hostel? -- Ja, nou die vraag presies net?

Well, what I am putting to you is that it is equally important to have regard to the fact that there was a long history of complaints that the KwaMadala hostel had been the source of violence against people in the region? -- Ja.

Did you not regard that as an important factor which should have been evaluated in dealing with the responses that night and the whole investigation? -- Ek het aandag daaraan gegee maar ek (I did give attention to that) maar hier was niks in hierdie (30



hele ondersoek en uit alles wat ek - uit almal met wie ek gepraat het wat enigsins daarop gedui het (there was nothing to indicate to that at all from the investigation in the discussions I had had with all the people I had spoken to) dat hierdie aanval oor 'n lang tyd beplan was (to say that this attack had been planned over a long period) of dat dit enige spesifieke verbintenis gehad het met hierdie bewerings van hierdie lang geskiedenis. (or even that it had any connection with these allegations of the long history).

Well, let us leave that, Major Davidson. I want to go a little further into history at the moment. I think that you well, let me ask you one last question, and I know there are some criminal prosecutions pending and I do not want to dwell on this at all, but you make a statement and I want to know - I just want to ask for your view as to whether it is still correct. Your statement at the end in paragraph 11.5 says:

"The evidence unambiguously proves that residents of KwaMadala hostel attacked the residents of Boipatong and Slovo Park on this tragic night."

-- Yes, that is..(intervenes).

Now, I do not want to go into any detail on that but that as far as you are concerned was what the evidence showed as a result of your investigations and you are still satisfied with that? -- Yes, it was only people from the KwaMadala hostel that was involved here.

No, I do not want to go into details of the KwaMadala hostel at the moment because of the criminal trial but I just want to know that as far as you are concerned, that that is the position and you have said yes. Now, of course, Major Davidson, you know from your own position in the - that you now hold at

headquarters/....



headquarters, that there have been a number of previous attacks by hostel dwellers on township residents, and I am not now talking about KwaMadala and Boipatong, I have dealt with that already, but elsewhere in the country there have been other massacres, if I can call that, which involves attacks by hostel dwellers on township residents. -- Yes, that is so, Mr Chairman.

And that has been going on for a year or two? -- Ja, it is quite some time.

Yes, and I think you would have seen the document which has been prepared by the - on behalf of the ANC and the Vaal (10 Council of Churches in which ten massacres are mentioned? -- Yes I have seen that document.

Yes. Now, I do not want to deal with the details of who was right and who was wrong, but we know that those are just part of a much larger picture, involving many more than ten massacres? -- Yes.

Yes. Now, I want to ask you this: Do you know of any single successful prosecution which has been brought by the South African Police in respect of any of these massacres?

MR HATTINGH: Mr Chairman, with respect, what has this cross- (20 examination to do with the matter that we are presently investigating, direct police complicity in the attack on Boipatong?

CHAIRMAN: Indeed I can see that there can be inferences drawn Mr Hattingh, I do not say they would be correct inferences, but ..(intervenes).

MR HATTINGH: Well, Mr Chairman..(intervenes).

CHAIRMAN: I can see an argument can be put forward in that.

MR HATTINGH: But then I am afraid you are going to have to allow us to place before you evidence as to why there have no successful prosecutions, arrests, etc. (30

CHAIRMAN/.....



CHAIRMAN: Yes, well if Mr Chaskalson wants to rely on such an inference, you may well have to be given that opportunity.

MR HATTINGH: Thank you, Mr Chairman.

CHAIRMAN: But I cannot stop it on that ground.

MR CHASKALSON: Mr Chairman, I understand that we are dealing not only with the South African Police at this stage, I thought there were two issues which were - we were concerned with now and am I right in thinking, and I may be wrong, but am I not right in thinking that the question of prevention and steps to be taken is also an issue? (10

CHAIRMAN: Not now.

MR CHASKALSON: Not at this - well what are the - may I get clarity again as to what the two issues are that we are dealing with now?

CHAIRMAN: No, the only issue on which we are hearing evidence, is on direct police or security force involvement in the attacks.

MR CHASKALSON: I thought there..(intervenes).

CHAIRMAN: We said that at a later stage we would deal with the response to anything that has to arise out of the response to the Waddington report. (20

MR CHASKALSON: But I understood that we were going to deal with it in this session?

CHAIRMAN: What? Prevention?

MR CHASKALSON: I am then totally wrong, I understood because it seems to me impossible to separate the two.

CHAIRMAN: Yes. I have got the - have you got volume 1 of the..?

MR CHASKALSON: I thought there were two issues we were to..(intervenes).

CHAIRMAN: It has been decided that we will initially address two matters, the first relates to the report of Dr Waddington(30 -  
on/....



on the evaluation of the investigation of the SAP, you will recall that he was assisted by two officers of the Metropolitan Police of London, etc. The legal representatives of the SAP has informed us they would make available within the next few days the response, to be a written document, become a public document. What further enquiries will flow from the Waddington report will obviously have to be determined in the light of the response from the South African Police, and that is something which the Committee would like to hear submissions during the course of the next few days at some convenient time and we can (10) then take a decision in that regard. So it did not relate to evidence on it.

The issue on which it has been decided to hear evidence immediately, is the alleged active involvement in the massacre by members of the South African Security Forces, the police and the army.

MR CHASKALSON: Well, I must say I have always been under the impression that there were two issues, that we would start with the evidence immediately on the SAP police involvement, but that the two issues which were going to be dealt with now would in- (20) clude both.

CHAIRMAN: Certainly not - it has not been our impression, it wasn't a decision taken, I assure you.

MR CHASKALSON: Well, then I need to think if I may..(inter-venes).

CHAIRMAN: Yes, well..(intervenes).

MR CHASKALSON: Because I really was under the impression, and as I understood it your report starts, or your statement starts by referring to the first issue as being the Waddington report.

CHAIRMAN: Yes.



MR CHASKALSON: And that that - we would get another report..  
(intervenes).

CHAIRMAN: The issue on the Waddington report was to hear submissions as to where - what issues still remained to be dealt with at some future session in relation to the police investigation.

MR CHASKALSON: Well, I must tell you I had certainly intended pursuing with Major Davidson issues which to me would be relevant to the Waddington report and if that is the - if I should not be doing that then I need to..(intervenes). (10)

CHAIRMAN: Yes, well Mr Chaskalson, from a practical point of view I think we are going to do well to be able to deal during this session with the other issue and I would rather do that.

MR CHASKALSON: No, I understand. I just have difficulty separating the two. It seems to me they are very much related to each other.

CHAIRMAN: Yes, no I understand. I see, yes. Well, insofar as there is an overlap you are entitled obviously to deal with it.

MR CHASKALSON: No, I understand that but I certainly did in- (20)  
tend, I still think that this is relevant at the moment, but I certainly did intend going much further with this witness and I need then to consider what I can - how I should approach the rest of my cross-examination.

CHAIRMAN: But in any event I think we should adjourn now, and give a few additional minutes to Major Davidson to make arrangements to get the tape or tapes as the case may be, here this afternoon. -- Yes, I will try my best.

We will adjourn then until 14:15.

THE COMMISSION ADJOURNS

THE COMMISSION RESUMES

CHRISTO/...



CHRISTO DAVIDSON (still under oath):

EXAMINATION BY MR CHASKALSON (Continued): Thank you, Mr Chairman.

MR HATTINGH: Mr Chairman, Major Davidson has the tapes locked in a cabinet of some sort in his office in Pretoria, he had the key with him. He handed the key to a police officer who left shortly after 13:00, as long as it is going to take him to get there and come back, the tapes will be available.

CHAIRMAN: Yes, very well. Thank you, Mr Hattingh.

MR CHASKALSON: Mr Chairman, I have looked again at the state-(10  
ments made at the beginning of the hearing and I understand now  
what was said then, though I must say I was under the impression  
that when you said the first issue will be the Waddington Report  
that we were running the two issues together, that we could  
start with the evidence concerning the direct involvement with  
the police but that the first issue would be the Waddington  
Report. In fact I was under the impression that we were  
expecting the Waddington Report on day one, but that we would  
have a significant part of the time at our disposal given over  
to the direct evidence, because we all agreed that we should (20  
hear that. But then I would like some indication from you as  
to when and how it is suggested, and may be not now, but for  
the purposes of our planning, it becomes important for us to  
know how it is contemplated that we will continue these pro-  
ceedings. I do not suggest we take up - if I may put it that  
way, "quarter time", or Commission time on that. But at some  
time I would really welcome an opportunity of getting clarity  
on how we will move forward from here.

CHAIRMAN: Well, I think it is something we are going to have  
to consider together, it is difficult to know at this stage (30

how/....



how long, I think we will be doing well if we finish hearing evidence on the issue that we are busy with. If we do, obviously we would be happy to hear submissions on how best to spend any additional time, but I would be very surprised, happily surprised if we get to that point this week.

MR CHASKALSON: Well, I also think it seems at the moment to be extremely unlikely, bearing in mind the number of witnesses which may still have to be called. And so it does raise a number of difficulties.

MR MOSTERT: Mr Chairman, with Mr Chaskalson's leave, (10 before we commence, is there any possibility of having the discussion you now adumbrate, sooner rather than later, we are all of us on this side of the room in the dark about when the next sitting is going to be and we would also like to plan the rest of our lives. So could you indicate when we could resolve that?

CHAIRMAN: Well, Mr du Toit, what do you suggest?

MR DU TOIT: On the assumption that we are going to spend all this weekend on..(intervenes).

CHAIRMAN: Yes, yes, no I understand that.

MR DU TOIT: Mr Chairman, I agree with Mr Mostert, perhaps we (20 should meet after we adjourn this afternoon.

CHAIRMAN: I am afraid I can't.

MR MOSTERT: Perhaps we can adjourn at 16:00 this afternoon and do our housekeeping..(intervenes).

CHAIRMAN: No, I would rather not lose..(intervenes).

MR MOSTERT: Or meet early tomorrow morning?

CHAIRMAN: I would prefer that. If we could meet - what do you suggest, at 08:30?

MR HATTINGH: At 08:30 tomorrow morning, it suits everybody else.

(30



MR VISSER: Mr Chairman, speaking for myself and I think also for Mr du Toit and Mr Rossouw, we won't be present here tomorrow.

CHAIRMAN: Oh, I see.

MR VISSER: But we might be able to come back on Thursday as I understand the position to be at the moment.

CHAIRMAN: Thursday.

MR ROSSOUW: Probably on Thursday now, yes.

MR VISSER: So possibly if you could defer it until Thursday.

CHAIRMAN: 08:30 on Thursday morning. (10

MR MOSTERT: Well, perhaps Mr Rossouw could tell you what his availability is for the next few months?

MR ROSSOUW: I have already done that.

MR MOSTERT: May be we could have it tomorrow and..(intervenes).

CHAIRMAN: Well, I think so but I think perhaps we should - we may not even finalise it but perhaps we should do it as Mr Mostert suggests, sooner rather than later. We meet at 08:30. Well, Mr du Toit won't be here tomorrow morning?

MR DU TOIT: Mr Pretorius will sit in for me.

CHAIRMAN: Well, let us have a preliminary meeting at 08:30 tomorrow morning and kick the ball around. (20

MR MOSTERT: In this room?

CHAIRMAN: I think so.

MR MOSTERT: In this room, in Committee?

CHAIRMAN: Yes.

MR MOSTERT: Thank you, Mr Chairman

CHAIRMAN: Yes, thank you. Mr Chaskalson?

MR CHASKALSON: Yes. Major Davidson, I want to come back to where I was shortly before the adjournment and I want to ask you this, that I think you told us that there have been a (30



number of previous massacres and let me put my question to you differently: The police have experienced very considerable difficulty in securing successful prosecutions in respect of these past massacres? -- Ja, dit is so, meneer die Voorsitter. (Yes, that is so, Mr Chairman).

Yes, I do not want to go into details because we will deal with that later. I just want to use that as a movement forward into something else. But do I understand you to say that after each of the massacres, there is some attempt to evaluate matters and to send out instructions to ISU-detachments around the (10 country? -- Ja, is dit nou in verband met diê spesifieke saak dan of die spesifieke hostel?

Well, the lessons learnt.

INTERPRETER: (Would this now be with regard to this specific case, and)...(intervenes).

MR CHASKALSON: No, I am not talking about...(intervenes).

INTERPRETER: (...to the specific hostel?)

MR CHASKALSON: Sorry. I am sorry, I interrupted the interpreter and I did not intend to do that.

Major Davidson, I am not talking about the Boipatong massacre<sup>(20)</sup>. -- Ja, nee, nee. I know.

What I want to know, is whether instructions go out to the ISU-detachments as a result of experience gained through previous massacres, as to how they should behave in the future? And whether that has been the practice for some time. -- Ja, van tyd tot tyd gaan daar sulke opdragte uit oor optredes wat - of oor hoe daar opgetree moet word.

And is there such...(intervenes).

INTERPRETER: (Instructions have gone out from time to time as regards to how action must be taken).

(30



MR CHASKALSON: And where there is indication that a previous massacre - that a massacre is in course or that it is under - it is about to happen, what sort of instructions have gone out in regard to police conduct in those circumstances? -- Kyk, kan ek net vra meneer die Voorsitter, is dit nou in geval waar daar - waar ons kennis dra van 'n voorval wat gaan plaasvind? (Would this now be in cases where we have knowledge of what is about to take place?) Alright.

Yes, let us deal with that first, if you have knowledge that something is going to happen, what is meant, what are the (10 instructions? And I do not want any secret information, I just want a general set of instructions. -- Nou wat - well, I - ek kan nie die spesifieke opdrag nou voor die geheue roep, maar ek sou sê die normale ding om te doen is dat 'n mens moet dit (I cannot call the specific instruction to memory now, but what I would say is normal, is) indien 'n mens kennis dra van 'n voorval wat plaasvind dan moet jy dit voorkom (that if one has knowledge of what is about to take place then that has to be prevented).

But is anything more than that said to the ISU people? -- (20 Ek weet nie - soos ek gesê het, ek is nie - ek ken nie al die opdragte uit die hoof uit nie maar dit is die normale ding om 'n voorval te voorkom as jy kennis dra daarvan. (I do not know all the instructions just off-hand but what is normal is that if one has knowledge of what is about to take place, it has to be prevented).

And may I then just take that what is so obvious further, if one has knowledge that a massacre is underway, it should be treated as the highest possible priority as far as the ISU concerned? -- Yes, Mr Chairman.

(30

It/....



It calls for immediate and dramatic action, in order to try to prevent the incident, and to bring the people to justice?

-- Yes, Mr Chairman.

And everybody in the ISU should at least know that? -- Yes, Mr Chairman.

Now, if I understand your - the evidence which you have given today, based on the statement that you have handed in, it is really an attempt to correlate information which has been extracted partly from log-books and partly from information given to you by various participants in the events of that day?(10

-- Ja, dit is 'n kronologiese volgorde wat ek probeer saamstel het (Yes, it is a chronological order that I have put up here), om dit vir die Kommissie redelik - om 'n geheelbeeld te gee van wat die aand alles plaasgevind het (to give to the Commission a complete picture of what had taken place on that evening).

But as far as the facts are concerned, it is based partly on the log-books, partly upon records and partly upon information given to you? -- Ja, dit is korrek. (Yes, that is correct).

Sorry! Some of the log-books have already been made available to us, but the radio sheets and log-books we have not yet had access to. -- Mr Chairman yes, it is in the process of being photostatted, of being duplicated. It will be submitted within a few minutes or so, I suppose. (20

Yes, and would I be correct to say or to think that those radio sheets should have precise times on them because they should record what happens as it happens? -- Yes, die tyd op die radiovorm, die berigvorm, (The time on the radio form which is the report form), is nie noodwendig presies die tyd waarop die klagte of die oproep ontvang word nie. (is not necessarily the precise time when the complaint was received). Sodra (30



ons die vorm kry dan sal u kan kyk na die uiteensetting en dan sal u verstaan hoe dit werk. (You shall be able to see the - how it has been set out as soon as we receive the report in here).

Well, thank you Major, as far as that is concerned. I see too that from your own report you deal with blocks of time, you for instance have one block - I have just opened your report at random, page 8, paragraph 4.12, 22:00 to 22:45. -- Hmmm. Ja, ek dink ek moet dit sō verduidelik. (I think I will have to explain it in this manner). Daar het baie voorvalle op omtrent (10 dieselfde tyd plaasgevind op verskillende plekke en by verskillende beheerpunte. (These are numerous incidents, took place at different places at about the same time). En om daardie rede het ons dit so in blokke probeer indeel. (And it is for that reason that we have tried to divide it into blocks). Andersins sou dit baie - it would have been very confusing otherwise if we have compiled it in any other way, Mr Chairman.

No, I understand that Major Davidson, but for instance, if it becomes important to establish the time of any one of the events from 4.12.1 through to 4.12.5. We do not find that in (20 your report, we would have to turn to the original log-books and radio-sheets to try and identify the - more accurately when during that period of 45 minutes the different events occurred? Is that correct? -- Yes, it is more or less correct.

Yes. Now, as far as the - that part of your report is concerned that is based on information given to you, obviously I will have to ask your informants questions, it is no good cross-examining you about what they told you? -- Yes, they will testify before the Commission.

Yes, well then..(intervenes). -- As far as I know.

(30

I/....



I'll hold my cross-examination until they come. But there is a matter, or one or two matters upon which I need your assistance. If you would turn to your first report, which is part of EXHIBIT 9. Do you have EXHIBIT 9 in front of you? -- Yes, Mr Chairman.

Could you look at page 16, paragraph 6.3.4. -- Yes.

It says:

"The allegations that the South African Police damaged property of the residents of the township in order to gain entry to premises were also investigated. At this stage, one fence has been found to be damaged in all probability as a result of the fact that the street in that spot was blocked and that vehicles had to pass the obstruction close to the fence." (10

-- Yes, I see.

Yes. Now, you told us that by the 1st July you had had a full and detailed consultation with Sergeant Schlebusch? -- Yes, Sir.

You told us today that Sergeant Schlebusch was going to say something quite different to what is contained in paragraph 6.3.4? -- Yes. This fence that I was talking here in EXHIBIT 9 that was damaged is not the same one as this one that I am referring to in this statement of mine today. (20

Where was the fence, at what premises is the fence that was referred to? Well, let me try and put my question a little more elegantly: At what premises or to what premises are you referring in paragraph 6.3.4? -- I am not sure of the exact address, I have a photo of this, van hierdie voorval in my vorige verklaring. (Of this incident and it is in my previous statement). (30

The/....



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