

COPY

c/o BARCLAYS BANK D.C.O.,
OCEANIC HOUSE
1, COCKSPUR ST.
LONDON S.W.1
30 January, 1964

J. Toffe Esq.
Johannesburg.

Dear Toel,

My attention has been drawn to a report in The Star (27.1.64) of the proceedings in the 'Rwonia' sabotage trial, according to which Lt. Swanepoel testified to the effect that 'acting on information from' me he 'went to the Kneel's house on September 5.'

I am writing to you, as the attorney acting for most of the accused, to say that this evidence is an absolute fabrication and wholly untrue. I am shocked and dismayed that the police and prosecution are prepared to go to such lengths to smear me and to create evidence against the accused. Perhaps the police could explain how I ~~had the clairvoyance to be able to lead him~~ ^{had the clairvoyance to be able to lead him} ~~to an~~ ^{who apparently escaped in August,} alleged hideout of Goldreich and Wolfe when by September 5 ^(the date Swanepoel claims I led him to the premises) I had already been held incommunicado ~~since July~~ for 57 days (i.e. since July 11th)? and ~~Goldreich and Wolfe were~~

2
alleged to have escaped on August 11th? It is well known that
the Police protect their real informants and, in the present
instance, this is being done at my expense.

You may use this letter in any way you see fit.
In particular ~~besides~~ whatever use it may have to be in the
Rwanian trial, I would ask you to carry the contents
to the attorney acting for me Mrs Reed.

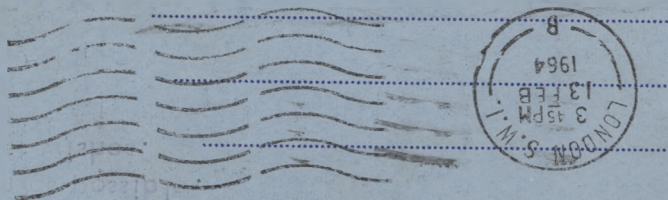
Kind regards,
Yrs sincerely
84
—

← Sny hier oop—To open cut here →

DAAR MAG NIKS BY 'N LUGBRIEF
INGESLUIT WORD NIE: AS ENIGIETS
WEL INGESLUIT WORD, SAL DIE
BRIEF BEBOET OF PER LANDPOS
AANGESTUUR WORD.

AN AIR LETTER SHOULD NOT
CONTAIN ANY ENCLOSURE; IF
IT DOES IT WILL BE SURCHARGED
OR SENT BY SURFACE MAIL.

NAAM EN ADRES VAN AFSENDER
SENDER'S NAME AND ADDRESS



Tweede vou—Second fold

Eerste vou—First fold



MR. B. A. HEPPLER

6 Aylestone Run

~~C/O BARCLAYS BANK D. CO.~~

London

~~OCEANIC HOUSE~~

NW6

~~1 COCKSPUR STREET~~

~~LONDON S.W. 1.~~

← Sny hier oop—To open cut here →

P.O. Box 6314

Johannesburg

5th February 1964.

(Received 15/2/64)

Dear Bob,

Thank you for your letter of the 30th January 1964. Perhaps the report that you read in the Star was misleading because in fact, Swanepoel never gave evidence that you led him to the alleged hideout of Goldreich and Wolpe. He merely testified that you pointed out the Kreeel cottage to him on the 5th September. However, as I understand from your letter, you emphatically deny that you gave Swanepoel any such information and I have passed on this denial to the accused, and it might be possible to make use of your letter during the conduct of the defence. I have also advised the legal representatives of the Kreeels of the position.

In the Indictment you are referred to as a co-conspirator, and any admissions made by you can be led in evidence by the State against the other accused. In view of this it would be of considerable assistance to the defence to know exactly what you told the police. According to Swanepoel you made three statements in all, the first two being fairly short statements and the last one being a fairly lengthy document. I have heard that, in fact, the last statement was 43 pages. Swanepoel states that in at least two of these statements you admitted to being a communist. If it is possible for you to reconstruct the three statements and send them to me as soon as possible, it could well prove of assistance in conducting the defence case. If you are willing to do this, I would appreciate it if you would attend to it as soon as possible.

Please give my love to Shirly. With best wishes.

Yours sincerely,

[J. JOFFE]

[Unsigned on receipt]

c/o Barclays Bank D.C.O.
Oceanic House,
1, Cockspur Street,
LONDON S.W.1.

c/o Barclays Bank D.C.O.
Oceanic House,
1, Cockspur Street,
LONDON S.W.1.

MARCH 10, 1964

March 10, 1964.

Dear Joel,

Thank you for your letter.

I made the following statements:

- (a) August 5, 1963: A two-page typewritten document, which I signed.
- (b) August 9, 1963: In the morning I answered questions put to me by D/S van Zyl and Lt. Swanepoel. That afternoon the interrogation was repeated at the Grays and recorded. Later I signed, on oath, a transcript of the interrogation. This was in double spacing about 16-17 pages.

In addition, towards the end of September Lt van Wyk drew up a draft statement based on the above statements (and slightly expanded) which was to have formed the basis of my testimony as a state witness. I never signed this or adopted it.

The report you mention, that I made another 43 page statement is absolutely false. It seems apparent that the Police are intent on smearing me to the utmost.

I do not think it wise to commit the contents of my statements (insofar as I remember them) into a letter. I have, however, given a full account of the contents to friends of your clients. I have always thought that what I said was of no value to the Police: in fact Dr. Yutar told me and others that my evidence "would take the state case no further". From what I have been able to read in the South African press I gather that, apart from Swanepoel's outburst, the prosecution has made no attempt to introduce my statements in evidence.

In any event, I do not think that the statements would be admissible for they were not "freely and voluntarily made". I was induced to make them in the following way:

1. My arrest on 11th July was a tremendous shock and the anxiety produced was exaggerated by the uncertainty of my position. I was taken to the Fort on the first night and moved three times during the night; the next day I was locked up at Fordsburg, and only on Saturday 13th July, when I was moved to Pretoria, was I told that I was being detained for 90 days. No attempt was made to interrogate me, despite the fact that I wrote to the Minister on 12th and 18th July, and to the Commissioner of Police on the 23rd July, demanding my release and offering to keep myself available for bona fide interrogation if released. I was kept (for the whole 90 day period) in solitary confinement, being allowed out of the cell for two daily half-hour

exercise periods (which were not always allowed at weekends), and with nothing to do other than read the Bible.

2. After two weeks (on July 25th) Lt. van Wyk visited me in my cell, while I was drafting a petition to the Supreme Court for my release. He took a casual attitude but at the same time informed me of the serious nature of the documents found at Rivonia and that a number of those arrested were likely to be hanged. He said that my associations with the other detainees were well-known and he expected that I could be used as a state witness. What he wanted me to say was what we had been discussing when we were arrested. I informed him (an later confirmed this in a letter to Col.Klindt)that I would answer that question if I were guaranteed immediate release and indemnified against prosecution.

3.The next morning D/S Kennedy informed me that I was to be charged "within 48 hours" with furthering the aims of a banned organisation and on this pretext he took my fingerprints. On the following Monday (that is, after 72 hours) Kennedy returned with Lt.Swanepoel. They said that they had "come for my statement". I refused to say anything on the grounds that the guarantees I had demanded were not forthcoming and because of their duplicity regarding the taking of fingerprints.

4. Four days later (on August 2nd)Swanepoel and Nel visited me to convey a message from Klindt to the effect that if I explained satisfactorily what I had been doing at Rivonia I would be released, and that what Kennedy had said about charging me was "mistaken". I asked them to return the following Monday (August 5th) when I would inform them of my decision. That week-end I had some consultation ,illicitly, with one or two detainees, and it was their view ,as well as mine that it would be worth making a statement.

5. Accordingly on August 5th I made a statement. This was typed by Swanepoel, while D/S van Zyl asked leading questions. I signed it. Before making it I was again promised that by doing so I would earn my release.

6. As soon as I had signed it, van Zyl said "Now let's put that aside". He and Swanepoel then proceeded, over the next four days, to subject me to an incredible barrage of intimidation, threats and promises. It is impossible for me to recall much of what was said at that time for my mind became very confused and tired. Among the threats were: that I would be kept under 90 day detention indefinitely; that they had the power to ensure that I was never released; that they could ask my wife to give them the information if I did not (indicating that she would be detained); that death sentences would be imposed on those arrested and they could "ensure" that even if I did not get such a sentence I would get long enough to keep me from my children until they were grown up and my parents were dead; that they had evidence that I had been to the farm on many occasions, that I had been seen spending a lot of time

in the main house and outhouses with other detainees etc.etc. and also that they knew from an inside source that I was a communist. Among the promises made were that if I answered their questions I would be released from 90 day detention; that they would use their good offices with the A.G. to ensure that I was not prosecuted; and that whatever I said would not be publicly disclosed.

7. These threats and promises became distorted out of all true proportion in the conditions of solitary confinement. I had become easily suggestible, I was able to delude myself - contrary to all my previously held beliefs - that the police would keep their word, and my capacity to reason had become seriously impaired. My mind was tired and confused. I say all this, of course, in retrospect, for one of the amazing psychological effects of the treatment to which I was subjected is that at the time one is unable to realise the change that is taking place in one's normal behaviour and thinking.

8. Accordingly, on August 9th, I agreed to answer questions. The majority of these were put in a leading form and I found myself straining to answer in a way which would be found convincing and pleasing to my interrogators. I retained enough sense, however, to obtain from Swanepoel and van Zyl three promises before I made this statement:(i) that I would not be prosecuted and that my statement would not be used against me;(ii) that I would not be called as a state witness; and(iii) that what I said would not be made public. They agreed readily, and when the statement was recorded I prefaced the recording with these three conditions, without any objection from the 7 or 8 police then present. The conditions appear, too, on the transcript.

9. None of the promises were in fact kept; nor was I released until the 90 days were up (then to be charged). Pressure was later put on me to become a state witness (despite the above promise). However, I chose to be charged rather than agree before the 90 days expired, so that once out of detention I could take advice on the matter.

I trust that this information will assist the defence in excluding any evidence of admissions I am alleged to have made and which might incriminate the accused. I re-iterate that I doubt whether what I said can assist the prosecution. But if this should be the case, I would like you to convey to the accused my sincere regrets that this has happened. I would like them to know that I think of them constantly and that I am using my freedom to play my own small part to rally world opinion to their cause.

With kindest regards, JOHANNES DE VRIES

Yours sincerely,

Bob

6, Aylestone Avenue
LONDON N.W.6

Air Mail

23rd March, 1964.

Dear Tennyson,

I tried to get hold of you by telephone on four or five occasions while you were in London, but without success.

From our brief conversation I gathered that you were anxious to know whether the arrangement which we entered into while I was in Dar had been carried out. The short answer is that the amount in question was paid over in terms of our arrangement (viz. for the Rivonia trial through D & A at home) in December. I did not write to you to confirm this as I had not realised that this was necessary.

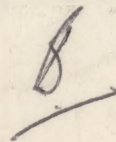
I'm sorry that we did not have the chance to have a chat while you were here, but I hope that next time you pass this way you'll look me up.

By the way, I send an airmail copy of Forward to "Spotlight" each month. I hope that it is received.

With warmest regards to all,

Yours sincerely,

To T. Mchuwane
P.O. Box 2239
Dar es Salaam



6 Aylestone Avenue
LONDON N.W.6.

7th April, 1964

Dear Duma,

I was distressed to read reports in the South African press that a pamphlet has been issued in the Republic in which my name has been included in a list of ten "traitors" together with the notorious Messrs. X,Y and Z who testified in the Rivonia trial.

I am naturally anxious to defend myself against this shocking and vile slander. I have, of course, been criticised within the liberation movement from a political standpoint (a) for making any kind of statement to the police while under 90-day detention; and (b) for being placed in a position where Yutar could announce that he intended to call me as a state witness, and, at a later stage, make false allegations about what I had told the police. No one, however, has, until the publication of this pamphlet, dared to attack my integrity nor call into question my basic loyalty to the liberation struggle and, in particular, to the accused now on trial.

I think you know that I only agreed to make a statement to the police because I and the other detainees whom I consulted about it at the time, thought that by this means I would be released and would then be able to carry on my work in the movement, attend to certain urgent matters resulting from the arrests, and make known the conditions of the detainees. Moreover, I deliberately allowed Yutar to charge me, rather than earn my release by agreeing earlier to his suggestion that I testify for the state, so that I could consult with the other accused and those outside jail. Only when Nelson informed me that in his view I could not be criticised for making a statement while a detainee, and when I was informed that the attitude of the movement was that I should take a "personal" decision in the matter, did I tell Yutar that I would testify, so as to induce him to release me. On being released I immediately discussed my position with the comrades outside and then left the country before I could be compelled to go into the witness box. I have made it clear that had I been forced into the box I would have refused to testify (and so have earned indefinite imprisonment).

Since leaving S.A. I have continued to give my support to the Anti-Apartheid Movement, the World Campaign, D & A, and other causes associated with our country. So far from being a "traitor" I have actually assisted the defence in the Rivonia trial in various ways, including furnishing them with a statement.

/ I

I believe that the allegation in the pamphlet harms not only me, but the ANC and the movement as a whole.

Accordingly, I would like to invoke your assistance in investigating the source of the pamphlet. Some significance may attach to the fact that only one copy of it is said (by Die Transvaler) to have been found by the police, namely one sent to the French Press Agency. I do not exclude the possibility that Spengler's "anti-sabotage" group is responsible for it.

Whatever the source, it would clearly be in the interests of all concerned if the ANC were publicly to disassociate itself from my inclusion in a list of "traitors" (with whatever political reservations it may have about my conduct).

I would be glad to have your comments as soon as possible.

With kind regards,

Yours sincerely,

To:
Mr. P.P.D. Nokwe,
Secretary-General ANC,
P.O. Box 2239,
DAR-ES-SALAAM.

PHONE:
WIL 0025 (after 6.p.m.)
LUD 9855, Ext 35(Day)

6 Aylestone Avenue,
LONDON N.W.6

April 15, 1964

Dear Mr. Tambo,

In "Spotlight" (April 10, 1964) issued by the A.N.C. and distributed in many parts of the world, there is republished a pamphlet in which I am falsely and defamatorily included in a list of "betrayers" and in which "the people" are directly incited to "deal with" me (among others) and "take revenge".

I take the most serious view both of the original pamphlet and its republication in an organ of the A.N.C. Before taking further action, however, I would welcome the opportunity of having a private discussion with you about the matter, while you are in London.

I would be able to meet you on any week-day between 12 and 2 p.m., or any evening after 5 p.m., or at any time over the week-end. I may be contacted at the above address or telephone numbers.

Yours sincerely,

Mr. O. R. Tambo,

B. A. HEPPLER

9a Cholmley Park
Highgate
Hare mou 2833

c/o Barclays Bank D.C.O.
1 Cockspur St.
London S.W.1

April 20, 1964.

The Secretary-General
A.N.C.
P.O. Box 2239
Dar es Salaam.

Sir,

In "Spotlight" of April 10, 1964, there is republished a pamphlet in which I am falsely and defamatorily included in a list of "betrayers" and in which "the people" are directly incited to "deal with" me (among others) and "take revenge".

I take the most serious view of the inclusion of my name both in the original pamphlet and in the excerpts from it which are published in "Spotlight".

While it appears that all the other persons named as "betrayers" actually testified for the state in recent "sabotage" trials, the only specific charge against me made by the pamphlet is that I "was to have appeared as a state witness (but) left the country" (my emphasis). As the complaint certainly cannot be that I fled South Africa with the aid of the A.N.C., at great personal risk and loss, in order to avoid testifying for the state, I am left to speculate what the real reasons are for lumping me together with the notorious Messrs. X, Y and Z.

It is, of course, impossible for me to defend myself without specific charges. In the absence of these I am led to conclude that you have arbitrarily condemned me, without a hearing, merely on the basis of the evil accusations made by the South African Police, about what I am alleged to have told them while under 90 day detention, and which, to your knowledge, I have strongly denied. The Police must be congratulating themselves on the success of their 'smear' tactics, which the A.N.C. itself recognised in its recent pamphlet "Brute Force" (p. 25):

"(The Police) have devised a shrewd and particularly nasty scheme. When it is clear that they could only have acted on "information" in making a certain raid or arrest, they try to smear someone who has not talked as the informer..."

/ In

In these circumstances I must record the following:

1. I made a statement to the S.A. Police only because I and the other detainees whom I was able to consult at the time believed that by this means I stood a good chance of being released and would then be able to continue assisting the movement against apartheid, attend to certain urgent matters arising from the Rivonia arrests, and publicise the conditions under which detainees were being held.
2. I have refrained from making any public statement about my involvement in the Rivonia affair, or the contents of my statement, solely in order to protect the interests of the accused in the present trial and of the liberation movement. I have, however, made the contents of my statement known privately to representatives of the movement both inside and outside the country. I have, in addition, furnished the defence in the Rivonia trial with a factual statement.
3. Towards the end of my 90 days in solitary confinement, the Police, faced with the necessity of justifying my prolonged imprisonment, put considerable pressure on me to become a state witness. Rather than agree to do so, I deliberately placed myself in the position where I would be charged and so become able to consult others. After I had been charged I had discussions with some of the accused and exchanged messages with those outside jail. I made it perfectly clear to all of them that I would not agree to the prosecution's suggestion if either the accused or the movement objected. Only when there was no direct objection from either source and I was told that I should take my own "personal" decision did I inform the prosecution that I would testify (on the basis of the above statement) so as to induce the authorities to release me.
4. As a result I was released. I immediately discussed the position with the movement and then left the country with its assistance before I could be forced to go into the witness box. I have made it clear that had I been compelled to go into the box I would have declined to give evidence.
5. Since leaving South Africa I have given my active support to the Anti Apartheid Movement and other causes associated with South Africa.

This course of conduct may well be considered as an error of judgment on my part and of those with whom I consulted. But until

/ the ..

the publication of this pamphlet no one has dared to attack my integrity.

Indeed, it seems remarkable that the A.N.C. through its organ "Spotlight" should be prepared to disseminate propaganda which appears to owe its inspiration to the fabrications of the South African Police. This, together with the irresponsible incitement to terroristic violence against me contained in the pamphlet can only bring grave discredit upon the A.N.C. and the cause which it seeks to serve - a cause from which I personally have derived the meaning and purpose of my adult years. The harm that has already been done to the A.N.C. is indicated by the fact that a considerable number of persons, some South African, some British, have expressed to me their indignation that the A. .C. should have lent itself to the same kind of arbitrary and unjust condemnation, based on police allegations, which characterises the regime of Vorster and Verwoerd.

In the circumstances I must call upon you:

- (a) to publish this reply with the same degree of prominence as the original report, in the next issue of "Spotlight";
- (b) to publish, similarly, a suitable apology.

Yours sincerely,

Bob Hepple

AFRICAN NATIONAL CONGRESS
(SOUTH AFRICA)

P.O. Box 2239
DAR ES SALAAM
Tanganyika

Ref. No

24th April, 1964

Mr. B.A. Hepple,
6, Aylestone Avenue,
LONDON. N.W.6.

Dear Mr. Hepple,

Thanks for your letter which has been forwarded to me at the above address.

Unfortunately I could not stay for longer than 2 days in London and the opportunity of discussing the inclusion of your name in a list of persons said to be betrayers has, at least for the time being, been lost.

I happen to know very little about the circumstances of your leaving South Africa, apart from what I have read in the Press. I had hoped that on your arrival in London you would at least call at our offices or see one or other of our representatives. I myself spent more than 2 months in London between December and February. In that time I read at least one report in the Johannesburg "STAR" towards the end of January which, in bold headlines, associated you with the activities of the Special Branch in South Africa. I do not know, of course whether you have taken any steps to prevent an adverse inference being drawn from this kind of report by people in South Africa.

In this connection I notice that "SPOTLIGHT" does no more than reproduce an extract from a report in "FREEDOM FIGHTER".

I should certainly have welcomed the opportunity of discussing these matters with you although I have very little, if any, control on the thinking of people in South Africa and on the possible influence of this on their compatriots abroad. Perhaps when I next visit London, it might be possible to meet you.

Yours faithfully,

O. Tambo
O. Tambo

6, Aylestone Avenue,
LONDON N.W.6

April 29th, 1964.

Dear Mr. Tambo,

Many thanks for your letter of April 24th.

I think that Walter Sisulu's reported statement under cross-examination that he regards me as a "traitor" makes it all the more important for all concerned that I should meet you when you are next in London in order to discuss the matter.

You may by now have seen my letter dated April 20th, addressed to the Secretary-General of the A.N.C., in which some of the salient facts are recorded. I am sorry that I did not call at the A.N.C. offices in London upon my arrival here: frankly, I did not consider this necessary at the time, because I had given a full report, first, to a representative of the movement before I left South Africa, and, again, to certain individuals in London, whom I would have expected to keep you informed in the matter. Moreover, when I was in Dar es Salaam during November I gave a brief outline of the position to leading members of the A.N.C.

The report in the Johannesburg "Star" to which you refer alleged that I had led the police to the cottage of a Mr & Mrs Kreeel, while I was detained. Immediately on reading this report I wrote to the attorney acting for the Rivonia accused categorically denying the allegation. This letter was acknowledged and I was asked to furnish the defence with a fuller statement, which I did. I had, in any event, discussed the question of the Kreeel cottage with the movement's representative before leaving South Africa, and was then led to understand that it was accepted that I was not the informer. You will appreciate that I had no public channels for refuting the smear propaganda of the police (made in the course of pending proceedings) and, in any event, in order to clear my own name publicly I would have had to disclose confidential information about the cottage and those who used it and could, therefore, also be placed under suspicion.

As I pointed out in my letter to the Secretary-General of the A.N.C. it is impossible to defend myself any further without specific charges and concrete evidence. I object most strongly to the way in which certain people have pre-judged the issue. The suggestion that I have been guilty of some sort of Criminal conduct which would justify placing me on trial at some stage, I regard as scandalous.

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It is true that Spotlight merely reproduces what is contained in the "Freedom Fighter" but you will appreciate (a) that the republication of the original defamatory matter has been equally, if not more, harmful than its original publication in South Africa ; and (b) that the only channel which I have for making my views known to the A.N.C. in South Africa is through its representatives abroad. I naturally expect that my reply and strong feelings on the subject will be communicated to those in South Africa.

I very much look forward to a full and frank discussion with you when you are next in London.

Yours sincerely,

Bob Hepple
Bob Hepple

Mr. O. R. Tambo
P. O. Box 2239
Day 11 Solomon

c/o Barclays Bank D.C.O.
Oceanic House,
1, Cockspur Street,
LONDON S.W.1

May 4, 1964.

Mr. J. G. Joffe,
P.O. Box 6314,
Johannesburg.

Dear Joel,

According to press reports Walter Sisulu stated, while under cross-examination in the Rivonia trial that he regarded me "as a traitor" and that "The time may well come when" I "will be tried".

I take the most serious view of this gross and malicious defamation, reflecting, as it does, upon my integrity and suggesting that I have been guilty of some sort of criminal conduct.

I am left to speculate as to your client's motives for making these defamatory remarks, but I am bound to record that at the time he made them he must have been well aware of the following facts, inter alia :

- (1) that in a letter to you dated January 30, 1964, I emphatically denied the allegation that I had led the police to the Kreel's cottage;
- (2) that in a letter dated March 10, 1964, I furnished you with a statement of the circumstances in which I came to make a statement to the police, while a 90-day detainee;
- (3) that I had earlier made the contents of my statement known to colleagues of your client both inside and outside South Africa;
- (4) that I have refrained from making any public comment on the Rivonia arrests and other related matters so as to clear my name of the allegations being made solely in order to protect the interests of your client and those standing trial with him;
- (5) that so far from a "betrayal of trust" I consulted those whom my actions might involve (including your client) before taking important steps, wherever this was possible.
- (6) that since leaving South Africa I have addressed meetings and taken other action to win support for the World Campaign for the Release of South African Political Prisoners (in particular, the Rivonia trialists).

It is, to say the least, most regrettable that your client should have seen fit to lend himself to the same kind of arbitrary and unjust condemnation as is normally associated with the Nationalist Government.

- page 2 -

I would appreciate it if you could bring this letter to your client's attention. Despite what has been said, my sympathies lie with your clients and ~~the~~ all other political prisoners in South Africa.

With kind regards ,

Yours sincerely,

Bob Hepple

JOEL JOFFE

ATTORNEY

JOEL GOODMAN JOFFE, B.COM., LL.B.

TELEPHONE 33-5137

P.O. BOX 6314

2ND FLOOR.

PROVIDENT ASSURANCE HOUSE.

COR. COMMISSIONER & SIMMONDS STREETS.

JOHANNESBURG

12th May 1964

AIRMAIL

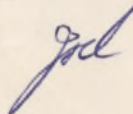
Mr. B. Hepple,
c/o Barclays Bank D.C.O.
Oceanic House,
1 Cockspur St
LONDON S.W.1.

Dear Bob,

1. Thank you for your letter of the 4th May 1964. The whole incident is most unfortunate and I think that you have, to some extent, been misled by the press reports which are not a fair reflection of what actually happened at the trial.
2. The true facts are, that while Walter was under cross examination, Yutar referred him to an A.N.C. document in which reference was made to traitors. He asked him if a Mr. "X" who had given evidence for the State in the trial was a traitor, and Walter obviously agreed with it. Later he came back to your position and asked him whether you were a traitor - Walter said that he did not know what you had said, whereupon Yutar said that Swanepoel had told the Court that you pointed out Mountain View. Walter then said that you must also then be a traitor. Although he might not have said it in so many words, it was clearly his intention to say, that it was only if Lt. Swanepoel was telling the truth, that he would consider you to have been a traitor.
3. On reflecting about the matter Walter was most concerned about it and discussed with me at that stage whether anything could be done to rectify the position. I could think of nothing at all and the matter was then left. I hope, when I have a chance, that I will be able to send you an extract from the Court record, so that you can satisfy yourself as to what was actually said.
4. It has always been Walter's view and the view of the other accused, that they would not even presume to judge you without hearing your version of what actually happened and what evidence you proposed to give for the State. With regard to the latter aspect, it is unfortunate, however, ^{plus the point of view of the trial} that we have been unable to ascertain from anyone at all what was contained both in the statement which was taped and the subsequent draft statement which was prepared for you, but which, according to your last letter, you did not even sign.
5. I hope that this letter clarifies the position. You are certainly at liberty to use it should you so wish. I hope that Shirley and the children are well and that you are settling down.

With kind regards,

Yours sincerely,



jj/dm

My dear Bob,

I have authorized my attorney to reply to you and to give you the full facts of what actually happened. But at the same time I felt that I should personally write to you about this matter. Even before we received your letter, we had made some efforts to convey to your father the true position; but owing to our difficulties and pressure of work in this case it was not possible to do this in time. We were not only concerned about the effect this would have on you, but about your parents as well, who not only ^{are} personal friends to some of us, but whom we hold in very high esteem.

I sincerely very much regret the publicity given to my evidence by the press ^{on this matter} and the inconvenience which must have been caused by this affair. It certainly did not reflect my views about you. Apart from the facts that the statement was taken out of its context, I was forced to answer a question put to me by Mr. Zylar.

The statement was made under these circumstances: on a previous day, I was asked whether I regarded a certain witness as a traitor and others like him, and what we would do with such persons. My reply was that I did regard him as a traitor and that he would be tried when the time comes. The following day I was asked about you, I said you were not in the same position with X. The Council also tried to intervene, but we were referred to the evidence of the police about the Cottage. I made a general statement, but I was pinned down to deal

With you specifically on the supposition
~~that~~ the police statement being correct. I said
in that case, even him, ^(meaning you) would be sweet like
any body else when the line came. What I
wished to convey was that the information
by the police would have to be checked. It
was not possible to evade the question. I put
unhappily about the whole affair. I am not the
type of man who would easily fall for the
branding of a colleague. I'm certainly
would not just rely on the police statement
without checking and satisfying myself about
the true facts of the matter.

My regards to your family
Wally

RIVONIA TRIAL

EXTRACT OF EVIDENCE OF WALTER SISULU GIVEN ON THE MORNING OF THE 22-4-64

Yes, but the fact that your own circulars say there will be no mercy to police informers, "We will track them down. There will be no escape ". That of course you forget?-----I'm not forgetting. I'm saying that I deny that it is the policy of the Umkonto.

By the way do you remember the suggestion - do you remember this Mr. 'X'? How do you regard him? As a traitor?-----Oh yes, I regard him as a traitor.

As a traitor?----Yes.

A traitor to whom?----- To the African people.

In fact, that was the suggestion by learned counsel, that he was a traitor to the cause of the A.N.C. -----He is not only to the A.N.C. he is a traitor to the African people.

And you regard him as such, and you propose to deal with him as such?----- I don't I don't I think he has been exposed quite sufficiently, but he will be absolutely isolated.

Isolated?-----And he will not be able to do any more damage to the movement.

Yes, of course not. He won't be a member of the M.K. any more----Yes.

But in terms of that, you're going to track him down, if it takes you five years or 100 years, and you're going to show him no mercy!---- Well, I can take it no further than to say that it certainly is not the policy of the A.N.C.

Sisulu, I forgot to ask you yesterday afternoon you had classified Mr. "K" as a traitor?-----Yes.

Because he has testified in the Court or what? Or what is the reason?----- Because they have revealed everything of the organisation, that he knew of.

How do you classify Advocate Bob Alexander Hepple?
----- Well I don't know what he said.

How do you classify him?----- I don't know what he said.

You've heard the evidence: He's the one that disclosed the existence of Mountain View. How do you classify Advocate Bob Alexander Hepple?----- Anybody who gives information to the police is betraying the cause

How do you classify him?----- The same position.

As a traitor?-----Yes .

Because he gave evidence to the police ?-----Yes.

Would he, therefore, fall under the directions of the pamphlet, Exh. "QQQ", that no mercy will be shown to him, and that he will be tracked down even if it takes 5 or 100 years?----- I don't claim the words in the pamphlet. Those are not my words.

Not yours?-----But all I'm saying is that a traitor as far as I'm concerned, once they are exposed to the public, they can do no more harm. They will be ostracised. The time might well come for them to be tried.

Bob Hepple would be tried then as a traitor?-----
Traitors will be tried, and anyone including him.

I don't know why you say anyone?-----Because I'm not

particularising, I'm saying that anyone who were traitors and revealed
the secrets of the organisation.

So that includes the people who are now revealing
these secrets to the Court here?-----They will.

c/o Barclays Bank D.C.O.
1, Cockspur Street,
LONDON S.W.1

May 21st, 1964

Dear Joel,

I was very pleased to receive your letter of the 12th May, which helps to clarify the position.

As I may wish to do something about the misleading press reports, I would very much appreciate it if you could try to obtain the relevant extract from the court record for me and send it to me by airmail. Naturally, I would be prepared to defray all costs.

Of course, the damage has now been done, but I do appreciate, from your letter, the difficult position in which Walter found himself. I hope that he will, one day, have the opportunity to rectify what was said.

Shirley and the children are well and we are quite enjoying London life before going to live in Cambridge later in the year. How is your baby? Please give our best regards to your wife.

With best wishes,

Yours sincerely,

6, Aylestone Avenue
LONDON N.W.6

May 26th
~~April~~ 20th, 1964.

The Secretary-General,
A.N.C.
P.O. Box 2239,
Dar es Salaam

Dear Duma,

Further to my letters to you dated April 7th and 20th, and my letter to Oliver Tambo dated April 29th, to none of which I have as yet received a reply, I now enclose for your information a copy of my letter dated May 4th addressed to Walter Sisulu's solicitor in South Africa, and his reply thereto dated May 12th.

You will observe from the latter that the press report according to which Walter was alleged to have called me a "traitor" was wholly misleading and inaccurate. In any event it appears that Walter is most concerned about his replies under cross-examination and was desirous of rectifying the position.

In view of the fact that "Spotlight" gave currency to the inaccurate press reports, I now expect that you will publish a suitable correction and apology in terms of the enclosed letters. The very least which I would expect such a correction to do would be to quote paragraph 2 of Mr. Joffe's letter and to add that I have at all times strenuously denied the allegation that I led the police to the Mountain view cottage. To this should be added an apology.

I would also draw your attention to the fact that no apology has been published in regard to the report complained of in my letter of April 20th and I must now insist on this being attended to, failing which I shall feel compelled to take further action.

Yours sincerely,

Bob Hepple

May 27th, 1964

My dear Walter,

Thank you very much indeed for your letter, in which you explain the circumstances in which your statement concerning me was made. I have also had a letter from your attorney.

Although the damage has been done, I do appreciate from your letter and that of your attorney that the press reports were wholly misleading and distorted. In addition, I realise that you were placed in a difficult position in cross-examination.

I should like, again, to assure you that the allegation about me made by the police is absolutely untrue. It is well known that the police protect their real informants and this time they seem to have done so quite skilfully at my expense. My own conscience is clear and I am certain that in time the truth will emerge.

I think of you and your colleagues constantly, and I would like to convey to all of you my very warmest and best wishes for your success.

With kind regards,

Yours sincerely,

Bob

May 27th, 1964

Bear Yusuf, [Dadoo]

You have no doubt seen the "Freedom Fighter" (No.1) in which my name is included in a list of "betrayers" and in which "the people" are directly incited to "deal with" me and "take revenge". You will also have seen the misleading press reports which alleged that Walter Sisulu, in the course of cross-examination, had referred to me as a "traitor".

Naturally, I have been most distressed by this unfounded attack on my integrity. Not only does it reflect on me personally and on my parents, but I believe that it has done great harm to the ANC and its allies sowing discord and mistrust. The South African police must be congratulating themselves on the success of their smear tactics.

I have been in correspondence with the Secretary-General of the ANC about the "Freedom Fighter" report, and I enclose a copy of my letter to him dated April 20th (to which there has been no reply). I also enclose a copy of my letter to Walter's attorney, dated May 4th, and his reply thereto dated May 12th. I have now also received a letter from Walter personally in which he expresses his deep regrets for what happened and states that the press reports "certainly did not reflect his views about me".

In the light of all this I think that something must be done by the movement, in the first place at home, to rectify this matter. Of course some of the damage may be irreparable, but the very least I would expect would be for the "Freedom Fighter" to correct its erroneous position regarding me, and for "Spotlight" (which circulated the report all over the world) to follow suit. Both these publications should do something, as well, to correct the distorted reports of what Walter said.

I would very much appreciate it if you could convey my views on this matter to those in South Africa, and if you would use your influence to try to have the matter rectified.

With kind regards,

Yours sincerely,
Bob Maffia

JOEL JOFFE

ATTORNEY

—
JOEL GOODMAN JOFFE, B. COM., LL.B.

—
TELEPHONE 33-5137

P.O. BOX 6314

2ND FLOOR,

PROVIDENT ASSURANCE HOUSE,

COR. COMMISSIONER & SIMMONDS STREETS,

JOHANNESBURG.

15th June 1964

AIRMAIL

Mr. B. Hepple,
c/o Barclays Bank, DCO
Oceanic House
1 Cockspur St.
LONDON S.W. 1.

Dear Bob,

I thank you for your letter of the 4th June 1964. As requested, I am enclosing a copy of the relevant part of the transcript. You will observe that the cross examination was carefully worked out by Yutar in order to achieve the desired result, and in fact, he began the day's cross examination with this particular purpose in view.

With best wishes.

Yours sincerely,

JJ/DM

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Oceanic House Telephone Fleet Street 7102
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London S.W. 1

24th June, 1964

Dear Joel,

Many thanks for your letter of the 15th June, enclosing a copy of the relevant parts of the transcript.

I am afraid that I must ask you to do me one further favour: if you have the record, could you send me a copy of that part in which Walter was cross-examined about Mr X and said why he regarded him as a "traitor". It appears that this would be on the afternoon of 22.6.64.

By the way, I noticed a report in the Sunday Times in which Yutar is reported as saying that I "typed my own statement". He is here referring, no doubt, to the draft statement drawn up at the behest of Lt van Wyk towards the end of September, and which I did not sign (see my letter to you dated March 10th). van Wyk told me that he was very busy and asked me to copy out portions of my earlier statement so that we could see what my evidence in court would be if I became a witness. I was at the Grays and was offered the use of a typewriter. From my point of view I enjoyed the opportunity of getting out of my cell, having a free ride to Jhb. on two days and being able, while there, to see Shirley to discuss the whole thing with her. Yutar's statement is therefore rather misleading.

Yutar's further allegation that I consulted the "present" leader of the Bar, whom I think is Kotze, is quite unfounded. I consulted Nicholas and Schwartz, and at ~~anxxxxx~~ later stage, Maisels.

All this must now be of little more than academic interest ~~xxxxxx~~ to you as the trial is over. But I thought you might be a little mystified about these points.

I must congratulate you and the rest of the defence team on your relative success in the trial. The sentences are, of course, a great shock, but at the same time I don't think that one could have hoped for better in the circumstances.

With kind regards,

DSB
Yours sincerely,

JOEL JOFFE

ATTORNEY

JOEL GOODMAN JOFFE, B. COM., LL.B.

TELEPHONE 33-5137

P.O. BOX 6314

2ND FLOOR,

PROVIDENT ASSURANCE HOUSE,

COR. COMMISSIONER & SIMMONDS STREETS,

JOHANNESBURG.

11th July, 1964.

AIRMAIL.

Mr. B. Hepple,
c/o Barclays Bank DCO
Oceanic House,
1 Cockspur Street
LONDON S.W. 1.

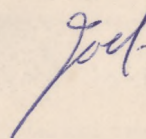
Dear Bob,

Thank you for your letter of the 24th June
1964.

As requested I am enclosing a copy of
the relevant part of the record. I hope this is what you
require.

Best wishes.

Yours sincerely,



Times 24/4/64
(London)

THE TIM

PLAN FOR GUERRILLA WAR DISOWNED

NOT FEASIBLE, SAYS AFRICAN ACCUSED

FROM OUR CORRESPONDENT

PRETORIA, APRIL 23

Walter Sisulu, one of the nine accused in the Rivonia sabotage trial, said in his fourth day in the witness-box today that he regarded Bob Hepple, an advocate who originally appeared with the other accused, as a traitor. Dr. P. Yutaf, prosecuting, asked "Will no mercy be shown him? Will he be tracked down, even if it takes five or 100 years, in the terms of one of your pamphlets?" Sisulu replied, "Once he is exposed that is enough. He can do no more harm. In any case, the time may well come when he will be tried."

Counsel asked, "Was not 1963 regarded as the year in which freedom would be obtained?" Sisulu replied, "Some of the Pan-African Congress said 1963 would be the year. The African National Congress is in the fortunate position that it has been criticized for being too tolerant and patient. We were prepared to negotiate. But he added that if the Government was not prepared to accede to their demands they would not wait indefinitely."

Sisulu said conditions were not ripe for "Operation Mayibuye", the alleged plan for guerrilla warfare. Asked about the preamble to Operation Mayibuye, Sisulu said South Africans wanted the right to vote. The judge asked "How do you know that the ordinary Bantu around town want to vote?" He replied: "Because at our meetings they have always wanted to vote. I have never heard them say they do not want to vote."

MILITARY HELP

Some aspects of Operation Mayibuye had already been implemented, counsel suggested. There were plans to recruit 2,000 volunteers in rural areas. "And what about the organizing of military assistance on a massive scale against South Africa?" Sisulu said Goldreich had been criticized for going too far in that direction. "He went to Czechoslovakia to learn about explosives not to organize assistance."

Sisulu asserted that the plan was "a fantastically big proposition". It was not capable of being fulfilled. "Other methods could still be feasible and used in the next two years. By mass action and sabotage, and not by guerrilla warfare, and by every possible way the position should be created whereby the position could be resolved."

"The national liberation movement would not approve of a plan like this. It was drawn up by people who were amateurs. The matter was never voted on. African, Coloured, Indian bodies would have had to agree as well as the Communist Party."

The hearing was adjourned until tomorrow.

Times 20/4/64
(London)

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The hearing was adjourned until tomorrow.

6, Aylestone Avenue
LONDON N.W.6 (until 29/8/64)

18th August, 1964

The Editor
"Spotlight"
P.O.Box 2239
Dar es Salaam

Dear Sir,

I no longer wish to receive "Spotlight" and I would therefore ask you to remove my name from your mailing list.

Despite the fact that I wrote to the Secretary-General of the A.N.C. on April 7th, 20th and May 26th, requesting him to publish in "Spotlight" (a) my reply to the allegations against me made in "The Freedom Fighter" and repeated in "Spotlight"; and (b) a correction to the misleading and distorted press reports of what Walter Sisulu said concerning me while under cross-examination (which reports were prominently featured in "Spotlight"), I have not received the courtesy of an acknowledgment, nor has "Spotlight" taken any steps to correct its reports or print my replies. For your information I enclose a photostatic copy of a letter I received from Walter Sisulu before he was sentenced.

Yours etc.

BOB HEPPIE

The weekly edition of The Star , September 12, purporting to report the judgment of a magistrate acquitting Mr.andMrs. L.Kreel on a charge of harbouring Goldreich and Wolpe, states that Mr. Bob Alexander Hepple, whom the report describes as a "listed communist", had "pointed out" the Kreel's home and cottage to the police.

Mr.Bob Hepple has authorised us, on his behalf, to state that he is not, nor has he ever been, a listed communist. Moreover he categorically denies the allegation that he "pointed out" the Kreel's home and cottage to the police.

Earlier reports, in the Star and other newspapers , alleged that Mr. Walter Sisulu, under cross-examination in the Rivonia trial, had branded Mr.Bob Hepple as a traitor. Since then Mr.Hepple has received a letter, written by Mr.Sisulu before he was sentenced, stating that the reports in question took his words out of their context and that they did not reflect his views of Mr.Hepple. He expressed his concern and sincere regrets for the misleading publicity which had been given to the matter. Indeed, the verbatim record of the relevant part of Mr.Sisulu's evidence shows that on his fourth day in the witness-box, when pressed by prosecuting counsel, Mr.Sisulu at first declined to classify Mr.Hepple as a traitor. Later, when it was put to him as a fact that Mr.Hepple has disclosed the existence of the Kreel home and cottage, he made a general statement that "anybody who gives information to the police is betraying the cause". Only when further pressed, did he reply in the affirmative to suggestions by prosecuting counsel that Mr.Hepple could be classed as a "traitor" "because he gave evidence to the police".

Mr.Hepple wishes it to be known that, as far as he is concerned, he has at all times acted with propriety and integrity towards those with whom he was associated, and, as is well-known, he in fact voluntarily chose to sacrifice his home and practice in South Africa rather than testify for the prosecution in the Rivonia trial. Moreover, he did not give any information of value to the South African security police, either as a 90-day detainee or otherwise.

Mr.Hepple has, until now, refrained from making any public statement on these matters, as he did not wish to prejudice the defence in the Rivonia trial or the trial of Mr. and Mrs. Kreel. As both these cases have now been concluded he feels at liberty to authorise this statement.

September 16th,1964.

Geheime getuies geopenbaar in ,verraaierslys'

DIE NAME en identiteit van die geheime getuies wat verlede maand in Pretoria in die Rivonia-saak getuig het, word bekend gemaak in 'n pamflet wat in Johannesburg versprei word.

Die pamflet beslaan vier velle en word deur die pos aangestuurd. Daar is geen aanduiding wie die afsender van die pamflette is nie.

Volgens 'n beslissing van die regter mag die name van die getuies nie bekend gemaak word nie. Die bekendmaking van die name is dus 'n oortreding en is strafbaar. 'n Woordvoerder van die Veiligheidspolisie het gisteraand gesê dat die saak ondersoek sal word.

Twee van die getuies is mnr. X en mnr. Y genoem om hulle te beskerm teen moontlike intimidasie.

,VERRAAIERS'

In die pamflet, wat o.m. aan die kantoor van die Franse nuusagentskap, A.F.P., in Johannesburg gestuur is, word drie van die geheime getuies se name genoem in 'n lys van tien name van „verraaiers”.

Volgens die pamflet was die drie getuies ampsdraers van die A.N.C. se streekkomitees. Een was onder-president van die Transvaalse komitee van die

Adv. Bob Hepple, wat aanvanklik saam met die ander aangeklaagdes by Rivonia in hegtenis geneem is en toe as staatsgetuie sou getuig voordat hy die land uitgevlug het, word ook as 'n „verraaiers” bestempel. Hy woon op die oomblik in Londen.

Sover vasgestel kan word, moes die name van die geheime getuies blykbaar deur mense wat baie nou verbonde aan die saak is, aan die opsteller van die pamflet verskaf gewees het.

IS VERMOOR

Tydens die ondersoek na die onluste in die Paarl en net voor die aanvang van 'n sabotasie-saak in Port Elizabeth, is twee getuies om die lewe gebring.

Volgens A.F.P. wys 'n deskundige op die gebied van Kommunisme wat die pamflet ondersoek het, daarop dat die pamflet se styl volgens die Chinese metode is. Hy het die vermoede uitgespreek dat die Chinese besonderhede in die pamflet daarop dui dat daar nou 'n klein, geïsoleerde groep in die Republiek is en dat hul bedrywighede ondergronds geskied.

In die pamflet word o.m. verwys na 'n Chinese held wat tuisgemaakte myne van kruit gemaak het.

Die beskrywing staan onder die titel „Doen dit Self”.

Die res van die pamflet is 'n volgehoue aanval op die Suid-Afrikaanse Regering. Die beleid van die regering t.o.v. Suidwes-Afrika word aangeval en die Minister van Justisie, adv. B. J. Vorster, word bestempel as 'n „groot ongedierte wat teer op menslike bloed en bene.”

Die deskundige het egter gesê dat die pamflet nie beskou moet word as 'n herlewing van die A.N.C. se ondergrondse beweging nie, berig A.F.P.

UNDERGROUND OPEN LEAFLET WAR

Another
one on
Rivonia

POST Reporter — Johannesburg

TWO pamphlets from secret "underground" sources attacking the Government have been circulated in the Republic in the past few days. One concerns the Rivonia Trial, and not many of these have been seen. The other has been seen mostly in the Western Cape.

The authors of the Western Cape pamphlet speak of South Africa being "at war"; of "everyone being Rivonia men"; of the message of Rivonia being "the message of history".

The authors claim that South Africa is "at war" because "... we are guilty of desiring freedom, and wanting to end apartheid".

The other pamphlet names 10 "traitors" including three men who allegedly gave secret evidence at the Rivonia trial.

They made mistakes

Since the start of the sabotage trials two witnesses have been murdered. POST has been unable to find out whether the men named in the pamphlet have asked for, or been given, police protection.

Two of the men were known as Mr. X and Mr. Y. Mr. Y's evidence was vital to the State's case.

Bob Hepple, who was originally charged and fled the country after it was announced that he would give evidence for the State, was one of the men named.

The police are taking a serious view of the pamphlet.

The Western Cape pamphlet said that a "group of leaders who were prepared to plan seriously for the liberation of our people" made mistakes.

The pamphlet quotes a 1958 speech by Mr. Ben Schoeman who is quoted as saying: "Supremacy means that you have the political power in your hands, and that you can only be overthrown by revolution."

Collection Number: A3393

Collection Name: Bob Hepple Papers

PUBLISHER:

Publisher: **Historical Papers Research Archive, University of the Witwatersrand**

Location: **Johannesburg**

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