

En as dit oor die radio kom? -- As dit oor die radio kom, sal dit dieselfde geval wees .. (tussenbei).

Dieselfde prosedure? -- If such information comes by means of the radio, the same procedure would be followed, if it would be many complaints coming in in succession.

So dit is 'n rof nota op 'n stukkie papier en dan later word dit ingeskryf? -- Dit is korrek mnr. die Voorsitter.

MR KUNY: So dit word van 'n stukkie papier oorgedra na die boek self? Is dit wat u sê? -- Ek neem so aan ja.

U neem so aan? -- (He says that he assumes that it would(10) be written on a piece of paper and then be transferred from the piece of paper into the book).

Maar al hierdie berigte word terselfdertyd op die bandopname opgeneem? -- All these informations are also at the same time recorded on a tape recorder.

Wat na die tyd van elke berig verwys? -- The recording would also have an indication of the time when each report was made.

En kan u sê of die persoon wat die berigte ontvang ook die tyd van die berig op die stukkie papier notuleer? -- I can-(20) not say whether the person receiving such reports and writing them on a piece of paper, would also indicate the time when the report was received.

Nou kan ons terugkom na hierdie inskrywing? Sal u sê of die besonderhede, ek praat nou van die een van 22:25, sou u sê of die besonderhede wat daarna genotuleer is, verwys na huis 761 of nie? -- Dit tyd by 22:25?

55, ja, 22:55. -- Okay vra net weer asseblief?

22:55, kan u sê of die besonderhede wat daar genotuleer is verwys na huis 761 of is dit nie korrek nie? -- Dit, dit (30)

verwys mnr. die Voorsitter na die, inderdaad na huis 761, maar die gegewens is nie heeltemal korrek nie. Die .. (tussenbei).

In watter opsig? -- The information as indicated at the time given as 22:55 refers to house 761, but it is incorrect and I am saying this because there were only two people in house 761. One was dead and the other one was injured.

Nou in daardie inskrywing is die name van die persone wat beseer was en gedood was gegee. -- It is correct yes that the names of the people, the dead person and the injured people are also given here.

(10)

Kan u dit net uitlees? Daar is verwys na 'n persoon Maria Sheluba is dit so? -- Correct.

Reference is made to a person, Maria Sheluba. In watter huis het u haar gevind? -- She was found in house 761.

En wie was die ander persoon wat in daardie huis gevind was? -- The other person found in this house was an elderly person whose name was Flora Madala. She had been injured.

En is haar naam daar ook ingeskryf? -- Her name is also written in this book.

En wie is die derde persoon wat daar na verwys is? -- I(20) cannot say who the third person to whom reference is made in this book, is, because as I said earlier on, there were only two people in that house.

En u sê sersant dat onmiddellik toe u hierdie persone in die huis gevind het, het u die radioberig gemaak? -- It is correct. Immediately after I had seen these people, I went and made this radio report.

En u het 'n walkie-talkie gebruik? -- Yes it was a portable radio, a walkie-talkie that I was using.

Want Mabuza, Abednigo Mabuza sê ook dat daar 'n vrou by (30)

die/

die naam Flora Madala in daardie, wie beseer was, in daardie huis deur u gevind was. -- It is correct yes what is said by somebody else that a lady, Flora Madala was found by the witness in that house and that she had been injured.

En hierdie moes die eerste radioberig gewees het wat u vanaf Boipatong na die radioberigkamaer gemaak het? -- It is correct yes that this was the first report that I made from Boipatong at this house which report I was making to the radio control room.

En daarna het u rapporte van tyd tot tyd aan die radiobe- (10) rigkamer gemaak? -- I thereafter made reports to the radio control room from time to time.

En op watter stadium het u vir die ambulans gestuur? Was dit in hierdie berig dat u vir 'n ambulans gevra het? -- It was in my very first report that I gave through to radio control that I also requested them to contact the ambulance services.

En hoe lank daarna het die ambulans opgedaag? -- I cannot say after how long the ambulance arrived. I did not pay any particular notice to it.

Maar u het gewag tot die ambulans opgedaag het? -- It is (20) correct that I waited until the ambulance arrived.

Hoe ver moes die ambulans ry om daarnatoe te kom? -- The ambulance would have come from the Sebokeng Hospital. This is where they are stationed. I do not know what the distance is from there, therefore I cannot say ..

MR ROSSOUW: Didn't we have a distance given earlier on of about ten kilometres?

MR KUNY: I have a recollection. It may be so, but, ek stel dit aan u sersant dat u moes daardie distansies goed ken. U patrolleer gewoonlik in daardie area. U ken die area baie goed, nie (30)

waar/

waar nie? -- Dit is korrek.

U moes 'n skatting kan gee van daardie afstand? -- It is correct that I know the area well because I patrol this area often but when we patrol these areas, we do not take distances. We could say that the distance is basically this, but we never actually take the distances.

Het die ambulans opgedaag voor of nadat u by huis 765 ingegaan het? -- In so far as I can remember, I was at house 765 when the ambulance arrived.

Nou ek wil weer terugkom na die gesprek wat u met kaptein(10) Roos gehad het. Wanneer was dit gewees en waar was u op daardie stadium? -- As I have testified earlier, I had been in house 761 when I went out to make the radio report and just thereafter I was contacted by Captain Roos. I do not know where he was, nor do I know where he was contacting me from.

Wat het u aan hom rapporteer? -- I reported to him what the position was, that I had been at house 761. I also told him that there were more houses further in that street, further down in that street that had also been attacked.

Wel op daardie stadium het u al berigte gekry van ander(20) huise wat ook aangeval was of nog nie? -- It could be that at that stage we had also already received more addresses of other houses that had also been attacked.

Dit lyk asof, om 22:45 het u al kennis gedra van ander huise wat aangeval was, as u na die inskrywing van 22:45 kyk. -- It is possible yes that we might have received more complaints by 22:45, more complaints of houses that had been attacked, other houses.

Want dit sê 5I1 en 5I2 gee aandag. Nou u was 5I1? -- It is correct that I was referred to as 5I1.

(30)

Nou/

Nou is dit korrek dat u aandag sou gegee het aan daardie voorvalle? -- Dit is korrek.

Op daardie stadium, 22:45? -- It had been said that I was giving attention to complaints on more houses that had been attacked. Now I cannot say that the time as indicated here, 22:45, I was giving attention to more houses that had been attacked, because we had been given instructions to move out to Frikkie Meyer Boulevard.

Maar toe u met kaptein Roos eers gepraat het, het dit vir u voorgekom asof hy wel op daardie stadium geweet het van die(10) ernstige aanvalle wat daardie aand plaasgevind het? -- When I contacted, when I contacted Captain Roos, we had knowledge of house number, of incidents in house 761 only .. (intervenies).

Maar dit was .. (tussenbei)? -- We had not received knowledge, we had no knowledge at the time of any other house.

You might not have had knowledge thereof, but it would seem that the control, radio control room already had knowledge of this, because ten minutes after this time, at 22:45, ten minutes thereafter, you spoke to Captain Roos. U verstaan my vraag? -- It was not at 22:45 that I made, that I had the first(20) contact with Captain Roos. It was round about 22:30 that I had the first contact, radio contact with him.

En dit sou na die eerste berig wat u met die radiobeheerkamer gemaak het, in verband met huis 761? -- That was after I had made contact with radio control and as regards what had taken place at house 761.

Ja die moeilikheid mnr. Schlebush is dat van hierdie boek lyk dit asof die eerste berig vanaf huis 761 was om 22:55. Daar is geen inskrywing van 'n vorige berig van u nie. -- As I have explained earlier I do not know why this report was made only at (30)

that/

that time, 22:55, the entry of this report was made at this time.

Wel ek weet nie wanneer dit ingeskryf was, maar die tye wat daar staan moes die tye gewees het wanneer die berigte ontvang was gewoonweg. -- I am not saying that what actually happened is that the person making the entries into the occurrence book would perhaps have had the report given to him written on a piece of paper and then later transfer it into the occurrence book. It might perhaps be if this is the case, that the person might have indicated the time that he made the actual entry into(10) the book.

CHAIRMAN: Do you think it might be convenient to take the adjournment?

MR KUNY: May we raise one point with you at this stage Mr Chairman? We have asked several times for the statement, if there is such a statement, of Captain Roos. My learned friend said yesterday when I asked him, that it was still in the course of preparation. Now you will appreciate that it is rather important from our point of view that we see it as soon as possible and it also has some bearing on the cross-examination of(20) this witness of Sergeant Kruger, who apparently is to come, and we would appreciate if that statement were made available to us now so that we can utilise any contents or at least incorporate such contents in cross-examination should this be necessary.

CHAIRMAN: Mr Hattingh what is the position?

MR HATTINGH: It cannot be handed over until it has been prepared Mr Chairman. It is in the process of being prepared.

CHAIRMAN: Have you found out when it is likely to .. (intervenes)?

MR HATTINGH: Yes my learned friend .. (intervenes). (30)

CHAIRMAN/

CHAIRMAN: Otherwise we might have to stand down some of the cross-examination.

MR HATTINGH: Yes, my learned (inaudible) Mr Wepener is attending to it Mr Chairman.

CHAIRMAN: We will adjourn for quarter of an hour.

COMMISSION ADJOURNS

COMMISSION RESUMES

CHAIRMAN: Any further information on the statement?

MR HATTINGH: The statement is in the process of being typed Mr Chairman. It should be available within the next half an hour or so..

(10)

CHAIRMAN: Do you want to wait or can you continue?

MR KUNY: I can continue but obviously when the statement arrives, it may be necessary to take some time to look at it. I just want to place on record, because I think it is important at this stage Mr Chairman, our distress at the manner with which we are being dealt with when it comes to the furnishing of statements. It is inconceivable that the man who is in charge of this unit has not, by this stage, some four months after the event, made a statement relating to the events which could have been furnished to us. After all, the issues have been perfectly clear. We know to what extent Captain Roos was or was not involved on that night and the issues which concern him. We would have expected that a statement would have been available from him. After all, within a matter of two weeks after the event, Captain Davidson was able to prepare a comprehensive overall account of the events. We know that immediately after the event, the day after a number of generals and senior police officials descended on this area in order to ascertain what had happened. There must have been statements taken from all the people concerned, and yet we have not, to this day, seen a statement from
Captain/

(30)

Captain Roos. I just want to place that on record.

By the same token when we adjourned more than two months ago, it became clear what the issues were and now we are told by representatives of the police that there are still going to be experts presented whose statements have not yet been compiled and which are still in the course of preparation and which we will, we may hopefully get next week some time. Now I do not know how this is going to assist this commission in coming to a finality during the course of this sitting. It seems to us that .. (intervenes).

(10)

CHAIRMAN: Whether those witnesses will be called is another matter. It will depend on the contents of .. But I share your disquiet.

MR KUNY: It may be. It may be and this has caused us a great deal of inconvenience when it comes to preparation and preparing for cross-examination. So I just want to place that on record mr Chairman because it seems to us a most unsatisfactory state of affairs.

CHAIRMAN: Yes it is very unsatisfactory in relation to Captain Roos Mr Hattingh.

(20)

MR HATTINGH: Mr Chairman, may I respond to what my learned friend has said? During the first session, although we were told at the preliminary hearing that about 100 statements had already been obtained, we received those statements as the witnesses entered the witness stand. We too, could not prepare for cross-examination on the same basis so we have been treated in the same way Mr Chairman. But as far as Captain Roos .. (intervenes)

CHAIRMAN: I am only concerned about .. My comment does not relate to anything other than Captain Roos' statement.

MR HATTINGH: As far as Captain Roos is concerned Mr Chairman, (30)

we/

we have now started preparing a statement for him because we at no stage considered his evidence necessary or helpful to this commission, it was only when my learned friend started insisting that he should be called. And when you receive his statement Mr Chairman, you will see that he can add very little to what has already been testified or will be testified by other witnesses who had first-hand knowledge of what had happened on the night in question.

As far as the experts are concerned Mr Chairman, we had to wait for a full moon. They went out to the scene the night(10) after the full moon this month Mr Chairman and they are now in the process of compiling a report. We do not know what it is going to say. We do not know whether it is going to be of any assistance. Once we receive it we will make it available.

VORSTER BRAND SCHLEBUSH: s.u.o. (through interpreter)

CROSS-EXAMINATION BY MR KUNY (CONTINUED): We have noticed that there are differences, even in your own statement with regard to the times. It is surprising that we have heard what you had to say with regard to the times indicated in the occurrence book. According to your own evidence .. (intervenes). (20)

CHAIRMAN: Statement.

MR KUNY: Your own statement and your evidence you arrived at house 761 at about 22:30. -- (And he says) Yes it is correct.

Nie waar nie? -- That is correct yes.

How did you determine this time? -- This is what I can remember and in so far as I can remember this is also what I had recorded. That was the time. I do not know where the time that is indicated the occurrence book comes from.

MR ROSSOUW: Can we just, there is a request that the witness and the interpreter just speak into the microphone every time (30)

when/

C13.1547
when they testify.

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SCHLEBUSH

MR KUNY: U sê dat u het dit, 'n rekord daarvan gemaak, as far as you recall, dit was die tyd. Waar het u 'n rekord daarvan gemaak? -- I recorded this time in my pocket book.

Het u u sakboekie beskikbaar? -- I do not know if my pocket book is available but I handed it to my legal representatives.

Wat word in u .. (tussenbei).

MR HATTINGH: Dit is beskikbaar. -- It is available.

MR KUNY: Is dit beskikbaar by die polisie. (10)

CHAIRMAN: Ja hy is by (onhoorbaar). Wanneer het u inskrywings in u sakboek gemaak? -- Soos ek van een toneel na die ander toneel gegaan het mnr. die Voorsitter.

Daar op die toneel in Boipatong? -- I made the entries into my pocket book in Boipatong at the different scenes.

MR KUNY: In die Caspir of toe u buite die Caspir gestaan het? -- Some of these entries that I made into my pocket book were made in the Caspir. Some were made at the various scenes themselves. I cannot precisely say where each entry was made.

Wel ek sal terugkom na hierdie punt, maar kan ons 'n(20) bietjie teruggaan na die tyd dat u aan diens rapporteer het? Dit was om 22:00 of net voor 22:00 daardie aand? -- Mnr. die Voorsitter dit is in werklikheid 21:45 .. (tussenbei).

21:45? -- I actually reported on duty at 21:45 and it was actually 21:45 when we were parading that night.

MR ROSSOUW: It is 21:45 or 22:15? -- 21:45.

MR KUNY: En wat is hierdie parade waarvan u praat? Wat gebeur? -- The, when we stand parade it is intended for all the members, it is intended for us to see if all the members are present there, if all members have their weapons, if any one of them is (30) injured/

injured. It is also where we have our duties spelled out to us.

En vir hoe lank duur daardie soort parade? -- The duration of the parade depends on whatever matters are to be addressed, whatever is contained in the information book what has to be read out to us, and the duration of this parade will normally take about 15 minutes, 15 to 20 minutes.

Nou daardie aand, wanneer het u opdrag gekry om na Boipatong toe gegaan? -- The instruction that we go to Boipatong, was given while we were parading.

So was dit voor 22:00 of na 22:00? -- I would not be able(10) to say whether it was before 22:00 that this instruction was given or after 22:00.

Dit lyk van die voorvalboek dat om 21:50, 21:50 was 'n klagte ontvang vanaf Q, wat Boipatong polisiestatie is, dat 'n groep Inkatha-lede in Boipatong besig is om eiendom te beskadig 5I2 sersant Kruger gee aandag. U sien dit? -- I do see the entry that was received from Q .. (intervenies).

Om 21:50. -- Which is a police station in Boipatong. It was received at 21:50 that a group of Inkatha were attacking houses there and it was said that 5I2 was attending to that. (20)

Dra u kennis van daardie berig? -- He knows about that report.

Was daardie berig in daardie vorm aan u oorgedra? -- The report had been given to the shift commander who told me to get my people and to get out to Boipatong.

Maar wat ek wil vasstel is wat presies het hy aan u gesê en wat was die bevel wat u gekry het? -- Sergeant Kruger told me that houses were being attacked in Boipatong and he told me, he instructed me to get my people together and then go out to Boipatong and see if we could get the perpetrators of those attacks (30)

or/

En het hy vir u gesê wie die aanvallers was? -- He only told me at that stage that it was a group of people that were busy attacking houses in Boipatong.

Het hy nie gesê dit was 'n groep Inkatha-lede? -- I cannot remember whether this, Sergeant Kruger had said it was a group of Inkatha members.

Hy kon so gesê het? -- It could be that he might have said it was a group of Inkatha members.

En insluitend in sy bevel was dat u hulle moet vang as u(10) kan? -- Sergeant Kruger did not actually say that we should go out to arrest those people but he said we must go out and see what is happening there.

En ek neem aan dat as u die mense kon arresteer, sou u dit wel gedoen het? -- If I would have been able to identify the attackers, then I would have made an endeavour to actually arrest them.

Die feit is sersant dat daardie aand het u op geen stadium pogings gemaak, ek praat nou van uself of die bemanning in u Caspir, pogings gemaak om hierdie persone te identifiseer en(20) te arresteer nie. -- Having gone out, having gone out there to see, to see what was taking place and the person that spoke to me having been in the vehicle and told me that the, his house had been attacked, I had first decided that we should go and see the different scenes to ascertain, to verify what has happened there.

Ja ek verstaan wat u besluit het, maar ek stel dit aan u dat as 'n feit het u en u bemanning op geen stadium daardie aand, die hele aand tot julle van diens afgaan, enige poging gemaak om die aanvallers te identifiseer en arresteer nie. -- It (30)

is correct that we did not endeavour to identify the attackers so as to be able to arrest them. We did not do this throughout that night until the morning when we went off duty.

Alhoewel u berigte van die bewoners van Boipatong gekry het, ontvang het dat dit was 'n klomp mense, 'n groep mense van KwaMadala en dat hulle Inkatha-lede was? -- My duty was to stabilise the area there and I would not have gone out to see if I would be able to arrest these people, because that duty I had left over to the investigation people.

MR VISSER: Mr Chairman may I be permitted to interrupt? Sorry, (10) but we have a problem with the way the last question was put that this witness was told that the attackers were from KwaMadala hostel and that they were Inkatha members. As we read all the evidence so far, they were either identified as people coming from KwaMadala or as Inkatha members, not the two together, because that seems to create in the mind of the listener something entirely different.

CHAIRMAN: Wat was die verslag wat u gekry het in verband met die identiteit van die aanvallers? -- Mnr. die Voorsitter op die grond, op die tonele het van die mense gesê uit die groepies uit (20) wat daar gevorm het dat dit Inkatha-lede is. Ander het weer gesê dit was 'n groot groep mense gewees, en dit is van waar die verslae kom dat dit Inkatha-lede of 'n groot groep mense is.

MR VISSER: I am certain it was not done on purpose by my learned friend.

CHAIRMAN: Right, can we just get the reply translated? -- Some of the bystanders at these scenes had said that it was a large group of people that attacked, some had said it was Inkatha people.

MR KUNY: And some said that they were from KwaMadala? -- It is (30) correct/

correct that some had said that the people had come from KwaMada-dala.

And in fact, we have just been handed a photocopy of notes which appear to be, or it may be in your handwriting. I would like you to identify them and tell us what they are. It is pages 72, 73, 74 and 75. Het u daardie afdrukke? -- I do have these copies here.

MR DU TOIT: Mr Chairman you only received another one. They just took copies of that. We can hand up our copy.

MR KUNY: Sersant Schlebush, ek weet nie wat hierdie afdrukke(10) is. Miskien kan u hulle eers identifiseer. Is hulle in u eie handskrif? -- Dit is korrek ja.

Bladsye 72 tot 75? -- Mnr. die Voorsitter ek het hier van bladsy 70 af, tot by 75.

Goed. -- It is correct that these copies are in my own handwriting and I have here copies of pages 70 to 75.

Nou wat is hierdie bladsye? Waarvan kom hulle? -- These are the rough sketch notes that I made on the back, on the back pages of my pocket book.

Al hierdie bladsye, byvoorbeeld van 42 tot 47 en daarna(20) van 71 tot 75 is van dieselfde boek? -- Ja. All these pages are from the same book. The book, the book is also available.

CHAIRMAN: Maar u het ook notas agter en die inskrywings .. (tussenbei)? -- Aan die voorkant mnr. die Voorsitter.

MR HATTINGH: Mr Chairman the page 71, page 70 is not relevant. 71 came out very badly and we have redone it. Can I hand up to you some better copies of page 71?

MR DU TOIT: Mr Chairman I do not know whether Mr Kuny intends that we hand it in officially.

CHAIRMAN: I think it should be yes. It could all be one(30) exhibit.

MR/

MR DU TOIT: It would then be EXHIBIT 32 Mr Chairman.

CHAIRMAN: Can we have 32 1 pages so and so to so and so and 32 2 ..?

MR DU TOIT: Mr Chairman, we can perhaps then .. (intervenes).

CHAIRMAN: Well it can just be EXHIBIT 32 page 41.

MR BAGWATHI: Yes that is also true, also true.

MR KUNY: Nou sersant, kan ek net vasstel wat gebeur het? U maak rowwe notas agter in u sakboek? -- Dit is korrek ja.

En dit is wat op bladsy 71 tot 75 is, is dit reg? -- It is correct that I was making notes in the pages on the back of(10) my pocket book, which are, which copies are now here.

Ja en hierdie rowwe notas word oorgedra op 'n latere stadium in u sakboek self, is dit wat u sê? -- These notes that I have made would at a later stage, be transferred into the pocket book itself.

En daardie bladsye 42 tot 47 is die soort notas wat u in die sakboek self maak op 'n latere stadium? -- Dit is korrek ja.

En wat netjies oorgedra is? -- The pages, the notes contained in pages 42 to 47 are the proper notes that I made which were the transfers of what I had as rough notes on the other(20) pages.

Nou as u na bladsy 74 kyk, die eerste inskrywing aan die linkerkant van die blad, daar is, o ek is jammer, dit word van after af, nie waar nie? -- Ja.

So dit begin op bladsy 75, nommer 2? -- It is correct that the entries start from page 75.

En as u na bladsy 74 kyk, kan u net vir ons lees wat daar staan? -- Waar presies mnr. die Voorsitter.

Wel miskien kan u met item 2 begin.

MR ROSSOUW: Watter item?

(30)

MR/

MR KUNY: He is now asked to read from the second item on page 75. -- The entry is at house 765 the damage is estimated at plus/minus R5 000,00. The person injured is Martha Nonjoli, age 52 years and there is also one Ndo Nonjoli, 14 year old who is also dead. There is also a Fikele Nonjoli, eight year old, who is also dead.

Ja, wat nog? -- The report continues on page 74. According to information Constable Patrick Nonjoli is the owner of this house who is employed at the Vereeniging South African Police. According to information from the bystanders there, this(10) attack was launched by plus/minus 200 Inkatha members who are resident at the Kwamadala hostel.

Goed, nou van hierdie notas blyk dit asof hierdie moes ingeskryf geword het om 22:30, as u na die middel van bladsy 75 kyk? -- It is correct that this entry was made at 22:30. 22:30 is the time that I came to house 761 where I spoke to the man who was telling me about what was happening there.

Maar ek praat nou van die tweede inskrywing, dit is nommer twee wat u nou net uitgelees het. Dit sou ook om en by 22:30 .. (tussenbei). (20)

CHAIRMAN: He could not have been in both places simultaneously Mr Kuny.

MR KUNY: Wel ek wil weet. Kan u sê wanneer daardie inskrywings gemaak is? -- Mnr. die Voorsitter die eerste huis se tyd is daardie een en dan het ek daar vertoef en net daarna is ek na huis 765 toe.

CHAIRMAN: Wanneer neergeskryf op bladsy 45 is dit nou 'n skatting van hoeveel later dit was of ..? Want daar is geen aanduiding op bladsy 75 van die presiese of enige tyd van die besoek aan huis 765 nie. -- There is no indication in this page of the (30)

time that I went to house 765. I did not take it that serious or take any cognisance of the time that I had to write when I was at this house 761.

MR KUNY: Ja maar die punt is dat die besonderhede in hierdie inskrywing nommer 2, is min of meer dieselfde as die voorvalboek onder die tyd 23:30, dit wil sê 23:30 die aand? -- Ekskuus? Kan u net weer die vraag stel daar?

Ja, die besonderhede onder die nommer 2 in die rowwe notas wat u gemaak het, is min of meer dieselfde as die besonderhede wat op 23:30 in die voorvalboek ingeskryf is. -- The particulars of the information as given under item 2 on page 75 are more or less the same as the particulars given in the occurrence book, the entry made in the occurrence book at 23:30. (10)

MR BAGWATHI: When did he transfer these rough notes into the main part of the diary? When were the entries made in his pocket diary from page 74, 75? When were they transferred to page 44/45? From the rough notes into the fair ones. -- The pocket book would have been brought up to date by myself on the following morning at the parade.

CHAIRMAN: Maar wanneer presies sou die inskrywing in die sakboek self gemaak word? -- Die voorste ene mnr. die Voorsitter? (20)

Ja. -- The entry into the pocket book itself was made by myself in the morning, the following morning.

MR ROSSOUW: Mr Interpreter I am sorry let us just get this clear. There are two entries in the pocket book. The one are the rough notes at the back and then from those rough notes he transferred it the next morning to pages 45 and following? -- Yes.

MR KUNY: Ja maar nou in die rowwe notas, kan ek net een tyd vind, dit wil sê 22:30. Daar is geen tye ingeskryf in verband (30)

met die ander inskrywings nie. -- I forgot to indicate the times with regard to the further incidents after the entry that I started making at 22:30 because we had moved from this place to go to that position between KwaMadala and Boipatong and even after having come back, I just continued making my entries in the rough notes and forgot to make, to indicate the times.

Nou wat ek wil weet is in die sakboek self is daar wel tye ingeskryf. Waar sou u daardie tye gekry het as hulle nie in die rowwe notas was nie?

MR ROSSOUW: U verwys nou na bladsy 45?

(10)

MR KUNY: Ek verwys nou na bladsy 45 en 46? -- Mnr. die Voorsitter kan ek net 'n afskrif kry van daardie bladsy?

O ek is jammer. Ek het gedink u het een van elk.

CHAIRMAN: Kyk na bladsy 45. U sal sien daar is wel twee reëls van onder af is daar 22:30. -- Dit is korrek ja.

En die vraag het betrekking tot die volgende tye, 22:45 ensovoorts.

MR KUNY: Daar sê nou .. Ek is jammer.

CHAIRMAN: (The question is now there are times indicated in page ..) Daar is (onhoorbaar) 22:45. Huis 765 en dan 22: .. is(20) dit ..?

MR ROSSOUW: 57.

CHAIRMAN: 55, 57, onttrek na veld tussen Boipatong en KwaMadala. -- Like I said earlier on I updated my pocket book in the following morning. The times were still fresh in my memory, although I would not say that they are to the minute correct, but they were more or less as indicated.

MR KUNY: So dan volg dit dat hierdie tyd in die voorvalboek, 22:55 toe u 'n rapport gemaak het in verband met 761 wat u sê die eerste rapport was, is nie die korrekte tyd nie? -- Yes it (30)

is/

is correct that the time as indicated in the occurrence book could not be the correct time.

Nou op watter stadium het u eers vasgestel op die toneel dat die bewering was dat dit Inkatha-lede of mense van KwaMadala was wat die huise aangeval het? -- Whenever I stopped at a scene and having seen that something had happened, I would try to find out who could have done this. I would make an endeavour to get as much information wherever I can of who the perpetrators of this could have been.

So onmiddellik moes u uitgevind het dat die bewering was(10) dat dit mense van KwaMadala was of Inkatha-lede was? -- It is correct that in this manner I would have been given the information that it was a group of people, members of the Inkatha. At 761, the man told me that it was a group of people and the bystanders at 765 told me it was Inkatha people.

En het u daardie inligting aan kaptein Roos oorgedra? -- It is correct yes that I conveyed that information to Captain Roos.

Wie die beweerde aanvallers was? -- The information as to who the alleged attackers were. (20)

Nou u het hierdie man, Mabuza ek dink sy naam was gesien en julle het gestop? -- It is correct that yes, I saw this man Mabuza who stopped us.

En die rapport wat u van hom ontvang het was dat nou-nou, net voor julle aankoms, het hierdie groep daardie huis aangeval? -- It is correct that what this man said was that just shortly before our arrival that group of people had launched the attack.

So hulle kon nog in die omgewing gewees het? -- It is correct yes that the attackers could perhaps have, could perhaps still have been in Boipatong. This is why I said earlier on that (30)

I had said we should proceed because this man had also said that more houses had been attacked. He was in the vehicle and we had proceeded where we also saw that more houses had been attacked.

En dit was heeltemal duidelik en sigbaar dat daar wel huise was wat sou aangeval wees, wat aangeval was? -- I did see yes in the distance that we had proceeded in Hlubi Street that there were more houses that had been attacked.

Wat het u gesien? Wat kon u sien? -- As I testified earlier on, what I could see was that houses or rather windows of houses had been broken. Some doors were open. (10)

En u kon dit heeltemal duidelik sien in die lig wat beskikbaar was? -- I could properly, clearly see these damages here in the light that was available at the time.

En dit moes vir u gelyk het asof u hierdie aanvallers agtervolg nou? -- Ekskuus? Herhaal net?

Het dit vir u gelyk asof u nou hierdie aanvallers agtervolg, want u het in hierdie straat gery waar daar wel skade was? -- I was not following these attackers. I was proceeding to see if I would see houses that had been attacked. This was quite clear that more houses had been attacked. I was also proceeding (20) there to see if the people could perhaps be seen there.

Wel hoekom het u nie aangegaan om vir hulle te soek? Hoekom het julle teruggery na huis 761? -- We did not proceed to see if we could find these people, because this man who had been in an emotional condition, was begging me to help his people at his house and this was the reason why I asked my people to reverse so that we go back to his house.

Nou soos ek u getuienis verstaan het u gevra dat hy in die voertuig klim omdat dit nie moontlik was om te hoor van die voertuig toe hy buite staan, wat hy gesê het? -- It is correct (30)

that/

that I had asked this man to get into the vehicle because I could not hear what he was saying from where he stood outside. The other reason is that that was the best place for us to have a talk with this man in the vehicle.

CHAIRMAN: Safest place? -- The safest, best, safest place.

MR KUNY: Ek neem aan dat u hom nie kon hoor nie omdat van die geraas van die motor, van die enjin van die voertuig? -- One of the other reasons is that I could not hear him because of the noise made by the engine of the vehicle.

Maak dit 'n groot geraas as u binne-in die kajuit sit? --(10)
When one is sitting in the driver's cabin, the noise is not so loud, but it is much louder when one is standing at the exit door. This is also where the exhaust pipe is. It makes too much noise. This is where this man was standing and one would not be able to hear what he is saying.

Ek neem aan dat dit ook moontlik is dat as gevolg van die geraas van die enjin, u miskien skote in die omgewing nie sou gehoor het nie, as daar skote afgevuur was? -- If shots had been fired nearby, one would have been able to hear these shots, but one would not have been able to hear shots if they were to be(20) fired at a distance far away.

Nou wat bedoel ver distansie, hoe ver vanaf die Caspir?
-- A distance far away, I would not be able to say how far that would be.

Miskien in die straat langs die straat waar u gery het?
Ek wil net vasstel min of meer hoe ver vanaf die Caspir sou die geluid van skote miskien nie hoorbaar gewees het nie? -- I would not be able to say how far it would be that one would not be able to hear shots being fired, whether it would be a block away, two blocks or three blocks away, but there has been (30)
occasions/

occasions when shots were fired not too far, which shots we could hear.

Nou wanneer het u eers met sersant Kruger gepraat oor die radio? -- I had gone out of this house 761, and I relayed the message to radio control and thereafter I proceeded to house 765. There were bystanders that, that started gathering in groups there and it was there that I spoke to Sergeant Kruger.

Nou was u in direkte radioverbinding met hom? -- I was in direct radio contact with him.

En u kan nie sê waar op daardie oomblik was hy nie? -- I(10) cannot say where he was precisely at the moment.

En kan u vir ons sê presies wat u aan hom rapporteer het? -- I reported to him that the people had started gathering in a group there in front of the house and then he told me that he was on his way to come and assist me.

Om u te kom help om wat te doen? -- The people had been gathering. They were moving in and out of the houses and we were too few to be able to handle the situation there and this is why I had asked him to come and assist me.

Maar op daardie stadium sou ek gedink het dat julle aan-(20) dag moet gee aan die aanvallers, nie die persone wat in en uit hulle huise beweeg het? -- As I testified earlier on, my task was to stabilise the area. I would not have been able to give attention to the arrest of the attackers. I could not be at two different places at one time.

Kruger het u op 'n sekere stadium daar gevind? Waar was dit? -- Kruger joined me in front of house 765.

En watse opdrag het hy aan u gegee? -- We had decided together with Kruger that we were to visit the other areas together but it was at that stage that the ambulance arrived and (30)

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the youths were then running around with pangas and knobkieries and such things and it was then that I told Captain Roos that these people were now threatening to go to KwaMadala. We were then given the instruction to move out to a place between KwaMadala and Boipatong.

Op die stadium dat u na huis 765 gekom het, moes dit duidelik gewees het dat wat daardie aand in Boipatong gebeur het, was nie die gewone soort voorval nie. Dit was 'n baie ernstige aanval op die mense in Boipatong? -- I had already seen two dead bodies at these different houses at the time. There had been(10) other houses which had obviously been attacked, doors had been kicked open and windows had been smashed. We had had incidents, an incident like that one even before.

So u sê daar was niks ongewoon nie op daardie stadium? -- There had been such situations before in this place, rather there had been such situations before. They did not know at that stage what the extent of all this damage was at the time, although they had seen what they had already seen.

Wanneer was daar sulke situasies in Boipatong voor daardie een? (20)

MR ROSSOUW: Hy het nie gesê Boipatong nie.

CHAIRMAN: In fact it was a mis-translation. He did not say in Boipatong.

MR ROSSOUW: He said the area.

CHAIRMAN: He said there had been similar situations.

MR KUNY: O ek is jammer. Goed. Waar mnr. Schlebush? Nie in Boipatong nie, maar in die omgewing, sulke situasies? -- There had been such a situation in Sebokeng.

Wanneer? -- I cannot remember the date or the time now.

Lank voor hierdie een? -- It was long before this(30) incident.

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