

But George was not a leader? --- Yes.

Then why did he go with you because supposedly just let leaders meet? --- That was not the only purpose, to make Khotzo and me know one another.

What was the purpose? --- The way I see it before introducing the other members of the group, he wanted to introduce the leader of the visiting group to his leader, otherwise it would have come, it would have followed that the other people know Khotzo, after I am introduced to him.

If that is correct, how come only you and George got introduced and not the others? --- I never said the others were not introduced. 10

Were the others introduced? --- Yes, they were.

A few moments I asked who was introduced from your group and you said you and George, I asked about the others and you said no? --- You said who else and I said I do not know.

BY THE COURT: The witness is quite right, I do not think you should mis-construe what the witness is saying.

CROSS-EXAMINATION: (CONT.) So you said you do not know, now you say they were introduced, why do you say you do not know if they were introduced? 20

BY THE COURT: No, I do not think that is a correct interpretation of what the witness said, he says he does not know who the others were that were introduced.

CROSS-EXAMINATION: (CONT.) If the others in your group were introduced, can you say who they were. Who was in your group? --- All the people who had accompanied us.

Who were they? --- I have said I do not know.

Why do you not know? --- I am a bit surprised if you ask me why I do not know. 30

Why/.....

Why do you not know who the others in your group - I am not talking about the Botswana group, I am talking about your group? --- When you spoke of the group, I thought you spoke about the group that had visited the house.

Your group? --- It was Cindy, Orbert, that is all.

Just the two of them? --- I also mentioned myself and George.

Was it only the four of you from your group? --- Yes.

How was the four of you chosen to go? --- We were not selected, what happened is we met Thebugo the previous day 10 and Thebugo took those he had met first.

Are you telling us that Thebugo came to your place to collect you? --- From the house?

Let us get one thing straight, there are four of you from your religious group from South Africa at this house?

BY THE COURT: I think you and the witness are on cross purposes on this matter now. What is meant is, how was it decided who of your group, who of the Soweto Guild should go from where you were staying with the priest to this house where the Soweto youths were living? --- The whole thing 20 is that the van which took us there, the light delivering van that took us was a small one, it could not take all of us, that is my group and the Botswana group at the same time. Also other places which we visited, we were not all taken together. There were for instance other places that were visited by members of my group, places I did not go to. It so happened that I was amongst the group that went to the house.

CROSS-EXAMINATION: (CONT.) Now you were introduced where at the house-to accused number two? --- I said outside. 30

Then what happened? --- Then we talked, we discussed generally/.....

generally.

Then? --- Then Khotzo asked whether we heard about Seiko in this country.

Yes and then, what happened? --- I said no, we only heard about it the previous night, last night.

Then did you go inside? --- Then he said before you go you will have to be explained what Seiko is all about. After some time all people who were outside were called inside.

Who were called into the house? --- All the people that were outside. 10

By whom? --- By Khotzo.

What did he say when he called you all into the house?

--- When he called us to the house?

Yes? --- He said let us get into the house.

Did he say why? --- He had already told me.

No, he called all the people, how many people were there?

--- Many.

What did he say, when he called you into the house? --- He said let us get into the house.

Did he say why? --- He never said why. 20

Then what happened? --- Songs were sung, slogans were chanted.

In fact Khotzo was taking the lead there, accused number two was taking the lead? --- In doing what?

Calling the people into the house? --- That is right.

Then songs were sung, what happened then? --- Then the speaker who I mentioned yesterday made a speech.

Khotzo did not make it, accused number two did not make it? --- He never made a speech.

Where was he? --- He was inside the house. 30

How do you know that, do you assume that he was inside

the/.....

the house because he called the people inside? --- He was inside.

How do you know that? --- I did see him inside.

Who else was in the house besides him? --- There were a lot of Seiko people, about 20.

Were you introduced to anybody else? ---

BY THE COURT: Let me just interrupt a moment, as I pointed out earlier, this witness obviously speaks English and his own language who is completely unknown to me, I do not know what the language is, perhaps you can assist us? 10

INTERPRETER: It is Sotho.

BY THE COURT: Indiscriminantly and it does as you pointed out earlier make things rather difficult but I think if we would just note that this the difficulty we have with this witness and allow the interpreter to repeat whatever the witness has said in English into the microphone because we might hear phrases and it might not be recorded what he says in English himself.

CROSS-EXAMINATION: (CONT.) So you were outside the house and Khotzo said everybody must into the house? --- Yes. 20

When you got into the house freedom songs were sung and a speech was delivered? --- Yes, it is.

So is that the sequence of events as you have now told us? --- Yes, songs slogans and then the speech.

Yes, outside, accused called everybody inside, inside speech, songs and discussions?

BY THE COURT: No, songs, slogans and speech.

CROSS-EXAMINATION: (CONT.) Was that the sequence? --- This is correct.

Well are you sure of that? --- Yes, I am. 30

The reason I am questioning you on this is because

number/.....

number two will deny that he called everybody into the house as you testified? --- I understand.

He will deny being in a meeting as you testified? --- I understand.

He will say that he met you that day but it was when you were leaving. What is your comment on that? --- It is not so.

He will say he met only you and George? --- No, I said the others were introduced to him.

You got into the house and you had the songs, slogans 10 and speech, right? --- Yes.

What happened after the speech? --- Then he wanted me, as the leader of the visiting organisation, to introduce my organisation to them, to tell them what it stands for.

Who is he? --- The speaker.

And then you introduced your organisation? --- Yes, I did.

Is that everything that happened that day, after you discussed your organisation, some people were disgusted with what you said or were upset with what you said and 20 then after that you went out, you made peace and you went out? --- Yes.

Is that the sequence, the correct sequence of events from the time of your arrival until your departure? --- Yes.

Are you sure? --- Yes.

Why in your evidence in chief did you omit to mention that accused number two had called you all into the house? --- Let me say most of my evidence was actually answers to questions that were put to me. 30

Are you sure about that answer? --- Yes.

You/.....

You do not wish to change it as to why you did not mention Khotzo in your evidence in chief? --- No, I do not wish to change it.

I am telling you and I am going to put that to you that that is not correct, I am going to put to you that in fact your evidence on that point at that stage you were giving your version beginning that day and your whole evidence during the course of that version by what happened on the 2nd was preceded by one question by my learned friend which was then, in other words you were not answering 10 questions, you were reciting your evidence. Do you still stick to your answer? --- I said today earlier that it is just not possible for a person to remember precisely everything that happened.

Is that your reason now, that you cannot remember at the time when you gave evidence in chief that it was accused number two that called you inside? --- The word you used remember does not fit, I say it is not possible to tell everything, I did not say remember everything.

Why was it not possible to tell the court that it was 20 accused number two who called you inside? --- For the same reason that although I had it in my mind I did not say it.

Why did you not say it, if it was in your mind? --- You see, as one tells your story one has the matter in his head, though one has this thing in mind and think about it, he just omits to say it, that does not necessarily mean he has forgotten it.

Let me ask you this, you knew when you came to give evidence that you were going to testify against accused number two, did you not? --- What I know is that I came 30 to give evidence about our visit to Botswana.

You/.....

You knew that accused number two was one of the accused?

--- Yes, I knew that.

And despite that you failed to mention him now, I will tell you why because he never - it never occurred as you say it did, that is why you did not mention him? --- You say it did not happen but I say it did.

You also testified in chief that when you were called inside you said that also accused number two, after this meeting said to you that - he called you outside, is that correct, what happened after that, how did you go outside? 10
--- We were called by the person addressing the meeting, the speaker.

One thing is clear though, accused number two did not speak at this meeting? --- During the meeting?

Yes? --- Yes.

Now at that point in time you already formed an idea what the organisation stood for, when you were called outside at the end of the meeting? --- It is so.

And who spoke to you then, outside? --- There was five of us outside. 20

Who were they? --- Me, George, Khotzo, the speaker and Freedom.

You, George, Freedom, Thebugo and the speaker, just the five of you? --- Yes.

Was that when you were given the books? --- That was when the speaker called Thebugo from inside the house to bring the things.

There were five of you at the back of the house, is that correct? --- Yes.

This was after the meeting? --- Yes. 30

It was at that stage when the books were given to you?
Thebugo/.....

Thebugo was called outside to give you the books? --- Yes but I have to explain that when the books were handed over to me George and Khotzo had left the group that was standing with me and had just gone around the house.

Now when I asked how many of you were behind the house you said five, is that correct? ---

BY THE COURT: I do not think that is being quite fair because I do not think that sequence was followed in the manner you are trying to put it across to the witness now.

MR. COALKER ADDRESSES THE COURT:

10

BY THE COURT: No, you did not, what you asked him was who spoke to you outside the house, he said there were five of us. Then you said who were they, his reply was I, George, Khotzo, the speaker, Thebugo, he corrected himself and said no Freedom was there. Then the speaker called Thebugo from inside the house to bring the books outside to them there and then he said when the books were handed over to him Khotzo, that is number two and George had left the group and had gone just around the corner.

CROSS-EXAMINATION: (CONT.) Who left the house together after the meeting from inside the house? --- The speaker called me and called Freedom, Freedom then called George and then Khotzo followed.

20

When the speaker called you, did you actually go outside the house with the speaker? --- Yes.

So it was the two of you who left, then George was called and then Freedom was called and then you came out. I want the sequence of the events as you recall them? --- What I do not understand is together, the five of us going out of the same door at the same time?

30

Will you tell us the sequence of events then, if you do/.....

do not understand what together means, what happened after the meeting? --- I explained it, the speaker called me then called Freedom, not that he called me outside and then went back to go and call Freedom, then Freedom called George, we were following one another, then Khotzo followed.

Then you all went behind the house? --- Yes.

What happened there? --- Then the speaker called Thebugo from inside and he said fetch those things. While Thebugo was fetching those things then Khotzo told us that he needs maps. 10

George according to you said yes, he would supply them? --- George said maps are no problem, I have access to them as I work in a garage.

What did you say? --- I kept quiet, it was at this stage that George and Khotzo left us, it was after they had left that the books came.

George was part of your group? --- It is so yes.

Did you say to George afterwards what kind of organisation was that, why are you supplying maps? --- No, I did not ask him. 20

Why not? --- Everybody has got his own way of seeing things, while he might have seen it necessary to supply maps, I did not.

George was a religious man of this religious group? --- It is so.

Were you not surprised that he was willing to give assistance, whether direct or indirect to this organisation? --- No, it did not surprise me.

Why not? --- Belonging to a christian organisation does not mean you are a christian. You see, I want to tell you the truth, belonging to a christian organisation does/..... 30

does not mean necessarily that one is a christian.

Did you know before that that George was not a christian as you see a christian to be? --- No.

Then surely you must have been surprised that he was not as you saw a christian to be and was prepared to assist whether direct or indirectly with the organisation? --- Well I did not get surprised.

Did you not ask him about it? --- I did not.

Why not? --- As I say, every person has his own way of seeing things. 10

But why did you not say listen George, why are you prepared to help these people or speak to them, have anything to do with them? --- I did not ask him solely for the reason that I have already mentioned, people see things differently.

And you did not speak to the people, the priest who came to pick you up later? --- About what?

About this organisation? --- The only thing I asked was, I was interested in knowing how do the people manage to live there.

Did you discuss the organisation? --- Seiko? 20

Yes? --- I have said earlier that I never discussed it.

Why were you interested in how these people live, what did you want to find out? --- About all the people, they are human beings.

You did not want to find out anything about their organisation or where they were wrong? --- You do not seem to allow me to follow up what I say.

With great respect, I am giving you every opportunity to tell this court whatever you wish? --- Just as I say 30
these people above all are human beings, I wanted to find
out/.....

out how they could manage because they are not employed, they are not attending school and so many of them are staying in one house.

Were you interested in finding out about the organisation to whom to yourself where they are wrong? --- I wanted to find out more than what I heard there, I have already said earlier my accepting the constitution was because I wanted to find out more, more than what I was told.

Correct, so why did you not ask the people who took you there more about the organisation? --- I did not ask them about these people as an organisation, I asked them about those people as human beings. 10

I do not know what you are trying to say but my question to you is if you were interested to find out what was where you could point this organisation out to be wrong, why did you not ask the people who took you there about the organisation so that you could establish what it was you wished to find out was wrong about them? --- I felt it was not necessary and that is why I did not ask them.

But why was it not necessary if you wished to find out what was wrong with the organisation? --- The why's seem to be giving way to more why's because I did not ask them and then you say why, then I say because I did not see it necessary and then again you say why. 20

I will put it to you in a different way , I am putting to you your evidence is untrue when you say that you wanted to find out what was wrong with this organisation but that you still despite that desire found it unnecessary to ask the people who took you to that house what the organisation was about. Is that better, it is not a why, it is putting to you/..... 30

you that you are telling untruths to this court? --- I thank you for telling me that I am telling untruths but what I say to you is the following, I had already seen some wrongs with these people or at least I had already seen something that runs contrary to my beliefs. Now by taking this constitution I thought perhaps there I would see some other things which would make me realise why these people think like this, not whether they are wrong.

So the purpose of taking the constitution was not to establish, besides what you heard, where you could point out to these people where they were wrong? --- A lot has been said before which was evident that according to the christian religion their views are not acceptable. 10

I do not understand that answer but can I ask you this, you took this constitution to read, is that correct? --- That is right.

And yet you brought the constitution back to South Africa? --- That is right.

Had you not read the constitution before you went back to South Africa? --- No. 20

Although you admit that you were three days in Botswana before you came back to South Africa, two or three days? --- Two days which were not idle.

Are you saying that in the two days you did not have any time, despite your interest, to read that constitution? --- That is right.

Not at all? --- Not at all.

I suggest to you that that is so improvable, that book is approximately seven pages of a very small book, or ten oages of a very small book? --- Yet it was not the only book that I had received. 30

You read the other books first, is that what you are saying? --- No, I am not saying that.

Why did you not have time to read it? --- There were other things to do.

You see the reason why I questioned you on all these aspects is because as I have already put to you, accused number two will say he met you on that day when you were leaving the house and that there was no discussion with you or George as you have testified here. He was simply introduced to George, in fact accused number two does not even remember you? --- I understand. 10

And do you still persist in your version? --- That is so.

When you were arrested by the police, did you have the constitution on you, with you? --- No.

When did you get rid of the constitution? --- A few days after I read it.

And when were you arrested? --- I do not know whether it was Friday night or Saturday early in the morning.

What date? --- The 26th of June. 20

Where were you arrested? --- At my brother's home.

Were you working at the time? --- No.

What were you doing? --- I was a student at the Soweto Teachers Training College.

By whom were you arrested? --- The police.

Their names? --- I do not know their names.

Whites or Blacks? --- One black man and a number of whites.

When they came to your house, did the white speak to you or the whites? --- A white spoke to me. 30

What did he say to you? --- He said wake up, let us go.

What/.....

What happened then? --- I do not remember.

Why is your memory so poor on this? --- What happened is that I was asked a couple of questions there.

What was asked to you? --- One of the questions was why was I not at home, they said all along I have been at my home in Zone One, that is the Sotho section.

Have you in fact all along been at Zone One in the Sotho section, is that correct? --- Yes it was a few months that I was there with my brothers.

Since you have come back from Botswana? --- After I had come back from Botswana. 10

Was there any reason for that? --- No, it is very personal.

What was further asked of you? --- They asked me where my passport was, I looked for it, I could not find it, I gave them my reference book. I was not asked any further questions, I was asked to get into a Datsun 280 L.

What happened to you then, after you were taken into the Datsun? --- I was driven to the Morroka police station.

What happened at Morroka police station? --- I spend the weekend there. 20

Did anybody come to see you or speak to you? --- No.

So when did you see a policeman for the first time? --- Monday morning.

Who came to you on Monday morning? --- The policeman who asked me questions at home.

What did he say to you then? --- He said let us get into the car and go.

Where did you go? --- We went to Protea.

Who did you see at Protea? --- I was asked some questions. 30

By/.....

By whom? --- I was asked questions at the police station by the very same policeman.

Was he alone or was he with other people? --- He was with other policemen.

What did he ask you? --- He asked me a lot of things

What did he ask you first? --- He asked me if I knew Freedom Mazibuko.

What else did he ask you? --- He asked me whether I knew George, the two of them had then been arrested.

Did you say you knew them or did you say you did not know him? --- I said I knew them. 10

What else did he ask you? --- I was asked whether I was the leader of the group that went to Botswana.

What did you say? --- I said yes.

And then? --- Then I was asked to explain the visit.

Did the policeman say anything to you about George? -- Yes, he did.

What did he say to you about George? --- He told me that he had been arrested.

Did he say why? --- He never said. 20

Are you sure? --- Yes.

What did you think when he said George was arrested?

--- I had seen it also in the paper.

You knew George had been arrested? --- Yes.

When had you seen in the paper that he had been arrested?

--- Wednesday.

And this was on Monday after the Friday of your arrest?

--- Yes.

Where were you staying when you saw that George was arrested? --- I was staying with my brother. 30

What did you think when you saw that he was arrested?

--- I thought as a person who had once promised to send maps to Khotzo, perhaps that plan of his might have been discovered by the police.

Did you think there was a chance of you being arrested?

--- Yes.

What did the policeman say, when he arrested you on Friday, did he say anything to you about how long you have been away from home? --- He asked me.

What did he say to you? --- He asked why I was not at home and I said I have been here for some time, he asked 10 how long and I said I do not know, about four months.

Had you been in contact with George since you came back from Botswana? --- Yes.

Did George know where you were staying? --- Yes.

And you and George, did you discuss what happened in Botswana after you came back to South Africa? --- Yes, we discussed what happened in Botswana.

Including this trip to Seiko? --- Yes.

What did you and George discuss about this trip to Seiko? --- We discussed about there was a time when George 20 said the way those people are suffering there, if I could manage I could send them some food.

Was that all? --- It is not all.

What else was discussed about the Seiko house? --- Much. Between you and George? --- Yes.

And about the Seiko organisation? --- Never.

You did not discuss the organisation? --- The organisation Seiko?

Yes, the people were part of the organisation, what they were doing, what they stood for? --- No, we never 30 discussed that.

So/.....

So when George said to you he is going to send food to these people at this house, what did you say? --- He said if he could manage he would.

What did you say? --- I took it purely on humanitarian grounds.

What did you discussed, you said you and George discussed much about this house, what did you discuss about it? --- We said how does three girls manage to live with seventeen guys, do you think these poor girls do not have to supply to these boys. You forced me to say that, I did not intend to say that. 10

You obviously discussed much more than that? --- Yes.

And logical you both knew, I do not know about George but you certainly are an intelligent person, I suggest you discussed about this organisation, the girls with the boys and what they were doing and what they intended to do and that type of thing. Is that not so? --- Are you suggesting that I discussed about.....

I am putting it to you that you are an intelligent person, I am putting to you on the probabilities that you discussed with George everything about this organisation and what it stood for, why the girls were there and what they were doing there, everything? --- I insist that we discussed much about it and not all about it. 20

In any case, let us come back to where you were arrested. You were questioned on the Monday, what did the police say to you? --- They asked me whether I knew George, I said yes, I know him. Of course I did know that he was arrested. Then they asked me whether I was the leader of the group that went to Botswana, I said was. Then they asked me to explain the whole trip. I was afraid and I said they must give/.... 30

give me time and they gave me time to plan my story from the 29th to the 6th of January.

When they questioned about this trip and you asked them for time to plan your story, did you know what they were going to question you about? Did you anticipate what they were going to question you about? --- They said I must explain everything from the 29th, what happened.

You knew it was Seiko, when they said that to you, you knew that it would involve Seiko? --- I knew that Seiko was involved there. 10

You knew that here was trouble? --- Sure, that is why I was afraid.

For you to trouble? --- Yes.

That is why you wanted to plan your story? --- In fact I wanted to, as I have said to you earlier, I would have given facts at random but the time I wanted was to plan the story from the 29th in it's sequence, what happened after this.

Did you in fact give facts at random to the police while they were questioning you until the time you asked them 20 for time to plan your story? --- They could quite see that I was afraid.

How did they see you were afraid, why? --- Because I was afraid.

Because you said so? --- I said I am not at ease, please give me time.

So had they started to question you about the trip to Botswana? --- They already asked me if I was the leader.

You said you were, they then started to question you about what happened in Botswana, what you did, what George 30 did, at th t stage before you said to them give me time?

They /.....

--- They had asked things like do I know anything about Seiko.

What did you say? --- Yes, I said yes I do know something about them

Yes and then? --- That something was that Seiko was an organisation that was aimed at over throwing the government with violence. As more questions propped up, that was when I asked for time.

You knew that you could possibly be affected that time you could possibly be in trouble, you yourself? --- Did I think what? 10

That you could get into big trouble with the police? --- I saw that I still had a chance of not getting into trouble.

So you planned your story so as to make sure that you would not get into trouble, is that correct? --- No, it is not true, what is true is that I know and I did know at the time that what I was involved in there was not as dangerous so as to make me appear a dangerous person to the government, planning my story I knew that all the facts which I brought out and which were true, would not endanger me. 20

Did you and I ask you this question again, did you when you were questioned by the police anticipate when they questioned you about the trip to Botswana, anticipate that you could get into trouble with the police? --- Yes.

You were scared at that point in time that you could be charged, is that correct? --- What I was scared for was that these people could be thinking I took a religious group to a revolutionary house.

You were scared that you would be charged, is that not so? --- I was not scared that I could be charged. 30

Then what were you scared of? --- That they would think by/.....

by their way of thinking that I have taken that religious group to Seiko's house, they would not immediately charge me.

But you thought there was a possibility that you might be charged? --- No.

Never? --- Never, I thought that I would be beaten up by people who thought I took a religious group to a revolutionary house, inside I was not afraid because I knew I would not be charged.

You then made a statement? --- I then made a true statement. 10

Did you give a verbal statement or a written statement?
--- I made a written statement.

In your own handwriting? --- In my own handwriting.

How long after your arrest was that made? --- About two weeks, in fact the second week.

This is now Monday, you were given time to plan, is that right, how long after the Monday did you start writing your statement? --- On Wednesday.

When was your statement finished? --- I finished it that night. 20

A written one? --- Yes.

What were you referring to when you said you made a written statement approximately two weeks after your arrest?
--- I said the second week.

That statement was in your own handwriting? --- That is right.

Did you sign it? --- I did sign it.

Did you swear to it? --- I did swear to it.

Have you seen the statement since? --- I did see it. 30

When after that? --- A few months thereafter.

Were/.....

Were you ever questioned again? --- Yes, I was.

On that statement that you made? --- Yes.

How long would you say, one day, two days? --- Just a few minutes, to get some things clear.

Did you re-write the statement? --- No.

Was a statement taken down by somebody else? --- That is right.

After you made a written statement and you were questioned further and then another statement was taken by somebody else in their handwriting? --- That is right. 10

Was that statement taken down in your presence by this other person? --- That is right.

Were you questioned while this statement was being taken down? --- That is right.

How long was that statement? --- I had written ten pages and I do not remember how many pages were written by the gentleman.

It took some time? --- Yes.

Can you remember whether that was after - you wrote your statement on Wednesday the second week of your arrest, how long after that was the second statement taken? --- A few days thereafter. 20

Was that also at Protea or was that somewhere else? --- It was somewhere else.

That second statement that was taken from you, you were busy being questioned by the person who took the statement and he was then writing it down? --- That is right.

After that, did you sign that statement? --- I did.

What happened after that? --- I was moved to another place. 30

When you were arrested and up until the time you made the/.....

the second statement, did you know that accused number two was arrested? --- Yes, I did.

Did you know from the questions put to you by the police that were investigating the case, that they were investigating a case against number two, did you understand that to be the case? --- Yes.

Just as a matter of interest, why were you scared that you would be beaten up by the police when you were arrested? --- Why was I scared?

Yes, I would like to know, why were you scared? --- 10
That I would be beaten up?

Yes, that is the question? --- Because as I said I thought these people had in their minds that I took the group solely for the purpose of visiting the Seiko house.

But why did you think they would beat you up? --- I know they do it.

You mean that you believed or you thought or let me ask you was it that you thought they would not believe you? --- I thought that before they would establish the truth they would have battered me, that is what I thought. 20

So you wanted to prevent yourself from being battered? --- Yes, that is why I said I must not make rushed statements.

Give me time, so that you could make a statement where you knew they would not batter you? --- So that I would make a statement which was true.

Are you trying to say, what made you think you were going to tell the truth the whole time, were you not? --- Pardon.

Were you not going to tell the truth the whole time? --- What I mean is that if you are not relaxed you do not 30
tell the whole truth as it is.

Let me just get one thing, I do not quite understand this, you said you were scared that you would be beaten, whatever you told them, if you told them the truth as you have told to the court? --- Not that.

What made you then think that they were going to beat you? --- From hearing from people who were once arrested I had that in mind that some people do make true statements but if that statement does not satisfy a policeman he will be beaten up and all that.

So you wanted to try and make a statement which you 10
believed would satisfy the police so that you would not be
beaten up? --- I wanted time to make a statement that would
be true.

Yes but that would also satisfy them that you would not
be beaten up? --- I knew a true statement would satisfy the
police.

Then why did you not tell them straight away? --- No,
I could not.

Why not? --- I said I was not relaxed and I would not
be able to tell the statement I wanted to tell. 20

But why not, what prevented you from telling the truth?
--- The state in which I am, the state in not being relaxed.

In other words, if you are not relaxed you do not tell
the truth, is that what you are trying say? --- Yes, when I
am uneasy.

Then you tell lies? --- Not that I tell lies, I do not
tell the truth like it is.

Just tell me this, the statement that you made on the
second occasion, the one the police wrote, was that then
typed over into another statement? --- That is right. 30

Then you took the oath? --- That is right.

So/.....

So you took the oath how many times? --- Twice.

After you told what you said to be the truth, did you ever ask the police to release you? --- Yes, I did.

You were prepared to go back into your community and carry life as usual, having made your statement, is that right? --- That is right.

You were not scared of what would happen to you out there? --- No.

What did the police say to you when you asked to be released? --- They said I could not be released until they have got what they wanted. 10

What was that what they wanted? --- I know not.

When did you ask to be released? --- When the schools were about to be opened?

When was that? --- I do not know the date.

Approximately when? --- In fact the schools had re-opened on July the 6th and our college would re-open two weeks later, so it was about that date.

So towards July 22nd, is that right? --- The 27th.

Up until that stage, had you made your second statement? --- Yes, I had. 20

When they said to you look they are not going to release you until they get what they want, what did you say to them? --- I told them to bring my books.

Did you not say you have given them everything they wanted? --- I knew that I was not the only one arrested.

Just answer my question, did you not say to them I have given you everything you want? --- I never said that.

Why not? --- Because I knew I was not the only one arrested. 30

That is certain, you were not the only one arrested but you/.....

you asked to be released, you in fact said to the police why do you not release me and they say we cannot until we got what we want out of you? --- Yes, I knew that my statement alone had to be supported or disputed by the other people who were involved in this case, I am referring to George and Freedom.

Did you know, did the police tell you that? --- They never told me that.

You just thought that? --- Yes.

Nobody else? ---I thought that.

10

You therefore know or thought that your release depends upon the whim or at that time you thought that your release depend on whether the security police were satisfied that you had given them what they wanted, is that right? --- That is right.

And that was the way you saw it? --- That is right.

You knew at that stage that accused number two was the accused? --- I did not know.

You must have thought that? --- Yes.

You must have been pretty sure that accused number two was going to be here? --- I thought that.

20

And was fairly sure? --- I was not sure, I thought that.

In your own mind your attitude was that you saw whether your release or your non-release would depend on whether you gave the security police what they wanted to hear, is that not so? --- Not, what they wanted to hear.

What they would be satisfied with? --- That is right.

NO FURTHER QUESTIONS BY MR. COALKER:

HER-ONDERVRA DEUR AANKLAER: Toe beskuldigde twee nou vir George gevra-het vir kaarte, was daar enige reëling gemaak oor hoe George die kaarte na hom toe sou stuur? --- Nie in

30

my teenswoordigheid nie.

Nadat jy terug gekom het na Suid Afrika, het u met George die doelstellings van Seiko bespreek? --- Nee, ons het nie.

Nou u het gesê dat ^u die polisie gevra het, toe u onder-
vra is, vir tyd 'to plan my story', wat presies bedoel u
daarby, 'to plan my story'? --- Wat ek bedoel het was dit,
ek wou eers sit en terug dink na die gebeure en die regte
volgorde soos wat dit gebeur het.

Toe u hierdie eerste verklaring van u in u eie hand- 10
skrif geskryf het, waar het u dit gedoen? --- Dit was in
'n sel gewees.

Was jy alleen of was daar 'n polisieman by u toe u die
verklaring geskryf het? --- Ek was alleen gewees.

Verskil daardie verklaring van die getuienis wat u in
die hof gedoen het? --- Daar was plekke waar dit effens ver-
skil het van my getuienis.

Waaromtrent was dit? --- Soos byvoorbeeld, ek wou nie
my self in die moeilikheid gehad het nie en toe het ek daar
in my verklaring gesê dat ek al die boeke in Botswana 20
agter gelaat het.

Was daar in die eerste verklaring melding gemaak van
Khotzo? --- Ja.

Was daar in daardie verklaring melding gemaak van die
toespraak wat gehou is daar by die Seiko huis en ook dat
Khotzo vir die kaarte gevra het? --- Ek het daarvan melding
gemaak.

Wat het u toe nou by gevoeg of verander in die tweede
verklaring, dit is wat die polisieman af geneem het? ---
Wat ek toe verander was dit, ek het by gevoeg dat ek die 30
een Seiko boek in gebring het in die land asook die drie

boeke/.....

boeke van die kommuniste.

Was daar enige iets anders wat jy nog by gevoeg het? ---
Nee, niks verder nie.

Die verklaring wat u gemaak het, het u dit vrywillig gemaak of was u aangerand soos u voor gevrees het? --- Ek het nie die verklarings gemaak omdat ek aangerand was nie.

U het gesê dat toe u gevra het of u vry gelaat kan word, toe is daar aan u gesê 'no, not until they got what they want', iets tot die effek, kan u net sê wat u daarby bedoel? --- Alhoewel hulle nie gesê het wat dit is wat 10 hulle wou gehad het nie, het ek die indruk gekry dat hulle nog nie klaar is met hulle ondersoek omtrent hierdie saak nie, dat hulle nog nie almal betrokke ondervra het nie.

Was die indruk dat hulle nog iets van u wou gekry het? --- Van my af nee.

GEEN VERDERE VRAE DEUR AANKLAER:

SELLO STANLEY MAMABOLO: beëdig verklaar;

ONDERVRA DEUR AANKLAER: Dra u enige kennis van die organisasie met die naam van Seiko, met ander woorde South African 20 Youth Revolutionary Council? --- Ja.

Hoekom sê jy so, wat is jou bron van kennis, om dit anders te stel? --- Ek is 'n lid van die organisasie.

Wanneer het jy lid geword van die organisasie? --- Maart van 1981.

Was jy deur iemand gewerf? --- Ja, ek was gewerf.

Deur wie? --- Ek was gewerf deur Freedom. Setando het ek verneem is die bedoeling van Freedom in swart taal.

Weet jy van enige ander naam wat die persoon het? --- Ek ken haar aan net daardie twee name, Freedom en Setando. 30

Is dit 'n vrou? --- Ja.

Waar het u lid geword van die organisasie? --- Sy het my by die skool gebel.

Waar is dit? --- Mogome Secondary School in Meadowlands.

Het jy ooit enige vergaderings of ontmoetings by gewoon van hierdie organisasie? --- Ja, ek het vergaderings by gewoon.

Wanneer was die eerste vergadering ongeveer? --- Gedurende Maart van '81.

Waar was hierdie vergaderings gehou? --- By die DOCC.

Waar is dit? --- In Orlando.

10

DEUR DIE HOF: Ek wil net 'n aspek opklaar, voordat u voortgaan. Ek merk die getuie praat ook baie Engels, sal u dan net van hom vasstel of hy ook sy taal so gemeng praat in die reël en of hy verkies om sy getuienis in Engels af te lê? --- Ek praat Engels.

Jy wil nie 'n tolk gebruik nie? --- Ek sal vra dat indien die getuienis in Afrikaans geleë word dat dit aan my oor getolk word maar dan sal ek in Engels antwoord.

Nee jy sien die posisie is dat die keuse van die taal, mits dit een van die twee amptelike tale is, is joune. 20
Nou as 'n getuie sy tale so meng dat 'n mens nie eintlik maklik kan onderskei nie dan is dit 'n ander saam maar as jy nou net Engels praat en jy kan dit goed genoeg praat, dan is die keuse joune of jy in Engels wil getuig? --- Dit is my versoek dat ek in Engels getuig.

Wil jy dan nie die hulp van 'n tolk hê nie? --- Dit is reg.

IN CHIEF: (CONT.) So you said that the first meeting that you attended was at the DOCC in Orlando, is that correct?

--- Yes.

30

This woman Freedom, was she also there? --- Yes, she attended/....

attended that meeting.

What happened at that meeting, the first meeting? --- Well at the first meeting we arrived and found Freedom there. She told us that Joe and Sipo would arrive soon, then after ten minutes they arrived. Then when they arrived they greeted us and told us that they are people from Seiko and they are recruiting people to leave the country for Botswana for military training.

Is that what Sipo and Joe said? --- Sipo and Joe said. They further told us that the aim of the organisation was 10 to liberate the black man by violence. Sipo further told us that we will go to Botswana where we will meet the official members of Seiko. Sipo told us that when we left the country to Botswana, we will not be able to see our parents anymore until we return to fight. Sipo told us that there are two ways of leaving the country, it is either you leave the country illegally and legally by means of a passport. He told us that he preferred us to leave the country without a passport. Chris told Sipo and Joe that they must arrange 20 passports for us to go to Botswana for schooling. Joe told us that he will organise the passports to go to Botswana, he will arrange that. From there Joe told me that he has to recruit people of the Azanian People's Organisation and the Comrades of South African Students and they will also send them to Botswana.

What for? --- For military training. From there the meeting was adjourned and the arrangements for the passports were to be made for us to leave the country.

Were there any other meetings held after that? --- Yes, we held another meeting in April, 1981. 30

Where was that, again in Orlando? --- Again in the Orlando/....

lando post office. At that meeting Joe told us that they were still making arrangement...

The same Joe as at the first meeting? --- The same Joe as at the first meeting, told us that they are still arranging passports for us to leave the country.

The woman Freedom, was she at this meeting or not? --- Yes, she was at the meeting. Joe told us if we want to know the constitution of the organisation we must ask for Freedom to lend us the book which contains the constitution. The meeting was adjourned. 10

Did you ever obtain any constitution from Freedom? --- On the 12th of June, when we go for Winter vacations I do go to Freedom and ask for constitution, then she told me she will give me the constitution on the 6th of July, 1981.

Was there any other meeting after the second one? --- Yes, there was another meeting.

When was that? --- On the 14th of June, 1981.

Where was this meeting held? --- At the post office Orlando. Sipo at that meeting told us that we must - it is a final to us that we must choose that we leave the country illegally or legally but he preferred that we must leave the country illegally without passports. 20

Is that what Sipo said? --- Yes. So Chris said that we must leave - told Sipo and Joe that we must leave the country by passports.

Now these guys, Sipo and Joe, they were at all three meetings? --- They attended all three meetings.

And Freedom? --- Also at three meetings.

What else was said that day there? --- Sipo said that they will represent us at the Regina Monte on the 16th of June. The other thing he said, he said that we must help 30

to/.....

to distribute the pamphlets of the organisation.

Where? --- At the Regina Monte.

On the 16th? --- On the 16th of June.

What happened on the 16th of June? --- On the 16th of June I arrived at the Regina Monte at ten o'clock.

That is a church? --- Yes, that is a church.

In Soweto? --- Yes.

What happened there? --- I found Sipo and Joe there and they gave us yellow pamphlets entitled Seiko.

Would you be able to recognise such a pamphlet if I show you one? --- Yes, I am able. 10

I just want to show you a document, do you recognise that? --- Yes, it is the one that I distributed.

In other words that is the type of pamphlet you were given by Joe and Sipo? --- Yes.

EXHIBIT N. So did you distribute those pamphlets that day? --- Yes, I did, there were about 300 to 400.

Was Freedom also there? --- Yes, Freedom was there at the service.

Did she also distribute these pamphlets? --- Yes, she did. 20

Now why did you attend this meeting at the Regina Monte Church on the 16th, what was the reason for that? --- The reason was....

Were you celebrating something for instance or what? --- The reason I do not really understand well.

Why did you go to Regina Monte that day, that morning? --- The factor which caused me to go Regina Monte is that we must help to distribute the pamphlets.

Did you go there because you were told to do so? --- Yes. 30

Just one thing I want to make sure of, regarding the first meeting you said was held April, '81, where was that meeting held? --- March '81, it was held at the post office.

All three meetings were held at the same place? --- Yes, they were held at the same place.

NO FURTHER QUESTIONS BY PROSECUTOR:

NO CROSS-EXAMINATION BY MR. BIZOSG:

MR. COALKER ADDRESSES THE COURT:

BY THE COURT: Was the lunch break not long enough?

MR. COALKER: (CONT.)

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- COURT ADJOURNS -

COURT RESUMES:

S.S. MAMABOLO: still under oath;

CROSS-EXAMINED BY MR. COALKER: Are you a student? --- Yes, I am a student.

At what school? --- At Mogome Secondary School.

Standard? --- Ten.

How long have you lived in Soweto? --- As from 1958.

At the beginning of this year you were at the same school? --- Yes. 20

The beginning of 1981? --- Yes.

Studying standard ten? --- Yes.

And in 1981 how would you describe yourself as a person in the sense where you - were you a man who respected your parents? --- Yes, I respected my parents.

Were you a man who respected your school principal?
--- Yes.

Were you a man who respected other peoples property?
--- Other people? 30

Other people, in other words, your neighbours, your friends/.....

friends property? --- Yes.

Were you a man who respected your neighbours in the sense that you respected what was theirs and took into account the type of persons they were and did not argue or fight with them unnecessarily, were you that kind of person? --- Yes.

You respected life, peoples right to life? --- Life? Yes, in other words you were ^{not} the type of person who without any conscience would go and beat somebody up or injure somebody? --- No, I would not. 10

You respected persons integrity, physical integrity? --- Yes.

Is that your attitude today, do you respect your neighbours and people and physical integrity? --- Yes, I do.

Do you respect authority? --- Yes.

Do you respect the government of South Africa? --- Yes.

Did you respect the government of South Africa in 1981? --- Yes.

You, would I then be correct in saying that you are a or that you were in 1981 a peace loving man, an ordinary black student in Soweto and a peace loving man? --- Yes. 20

You did not believe in violence? --- I did not believe in violence.

Do you believe in violence now? --- No.

Have you ever believed in violence? --- No.

Never? --- Yes.

And you never believed in - I will leave that there for the moment. You say you attended three meetings, is that correct? --- Yes.

With the same people present at each meeting? --- Yes. 30
As I understand it there were four of you at each meeting/.....

ting? --- Four people?

Yes? --- Yes.

Yourself, Freedom, Joe and Sipo? --- Yes.

You were the same people who went to the three meetings?

--- Yes.

I wish to deal with the third meeting, can you remember what the third meeting was? --- It was on the 14th of June, 1981.

Can you remember what was discussed there? --- Yes, I still remember.

10

What was discussed? --- It was discussed that we should decide whether we skip the country illegally or legally, then Sipo - it was Sipo who said that and then Sipo continued to say that he prefer that we must leave the country illegally without passports.

Is that all that was said at that meeting? --- No, I am still busy, then he said they will be representing us at Regina Monte, either Sipo or Joe, they also said there will be pamphlets which will be distributed so we must help to distribute with those pamphlets. They then said they will still arrange the passports, for us to get passports. Then it was said that we will have the constitution later, then the meeting was adjourned.

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So at that third meeting on the 14th of the 6th it was discussed, to sum up then, the question of the passports, the question of the Regina Monte and the question of the constitution? --- Yes.

What was discussed about the constitution at that meeting of the 16th of June? --- Joe told us that they will make the constitution books to be more than one, there must be many so that they must be able to give us.

So/....

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So did they have only one constitution at that stage?

--- Yes, they had only one constitution at that stage.

Had the constitution been discussed at any of the other meetings? --- No, the other meetings were unsuccessful due to detention.

I am talking about previous meetings, meetings before the 14th of June? --- Before, sorry, I thought you said after, it was discussed the second meeting but not the first meeting.

That was the constitution? --- Yes.

10

I am then correct in saying that at the point of the third meeting it had not been decided whether you were going to leave the country legally or illegally, is that correct, although Sipo was in favour of you leaving it illegally it had not as yet been decided? --- Sipo said we leave the country illegally, then Joe said that the passports are still being arranged.

But am I not correct in saying that you also said that Sipo told you that you must choose between leaving the country legally and illegally? --- That is what Sipo said.

20

At the third meeting? --- Yes.

So Sipo said to you at the third meeting you must choose between whether you want to leave legally or illegally but I say you must leave illegally? --- That is the third meeting.

Would that be a correct summary of what happened at the third meeting? --- Yes, Sipo said we must either leave legally or illegally, he preferred we must leave illegally.

But nothing had been decided? --- Joe said they are still arranging the passports.

Yes but-nothing had been decided? --- About what?

30

About whether to leave legally or illegally? --- It was/.....

was already decided that we must get passports so that we must leave the country.

But how can it be if Sipo said that you must choose whether to leave legally or illegally, how can you now say that Sipo said there was a choice to leave legally or illegally and now you say in fact it was decided that you were going to leave illegally. That is illogical? --- He mentioned it at the second meeting and mentioned it at the third meeting.

The point is this, at the third meeting he said you must choose whether to leave legally or illegally, is that not so? --- Yes. 10

In other words, it had not been decided at that point in time whether you were going to leave legally or illegally or had it? --- It was not yet - it was decided that we must leave with passports, so they were going to arrange that.

If that is correct, if it had already been decided that you were to leave with passports legally, why then did Sipo say to you you must choose whether to leave legally or illegally? --- I do not know, we said that they must arrange passports for us, I do not know why he repeated that. 20

Are you not perhaps confused? --- I am not confused, I am clear, he said that.

At that point of time, did you decide to leave? --- No, I was not deciding to leave.

So you had decided not to leave? --- Myself?

Yes? --- No, I was not deciding to leave.

Please answer my question? --- I was not deciding to leave.

So you had decided not to leave, is that correct? --- Yes, correct. 30

When did you make that decision, not to leave? --- I made in June after the 16th.

If that is correct then how could you have said that you had decided at that stage not to leave, at the third meeting on the 14th of the 6th when you now say that you ^{decided} not to leave after the 16th? --- On the meeting of the 14th I decided, so after the 16th I did not decide.

BY THE COURT: Just repeat this, I am afraid I am not quite clear on what you mean. At the meeting on the 14th of June, what was the position? --- My position? 10

Yes? --- Was to leave.

On that day you had decided to leave? --- Yes.

And later you changed your mind? --- From the 16th I changed my mind.

CROSS-EXAMINATION: (CONT.) On the 16th? --- From the 16th.

Are you understanding when I am asking you questions? --- Yes.

You are having no difficulty with understanding what I am asking you? --- Yes, I have no difficulty.

Well then how is it that you have told this court a few minutes ago when I asked you were you going to leave, had you decided to leave on the 14th at the third meeting and you said you had not, in other words you had decided not to leave? --- I said at the third meeting I decided to leave, that was the 14th, the third meeting, then on the 16th I decided not to leave. 20

Are you saying that you never said to this court that at the third meeting you decided not to leave? --- I said I decided to leave the third meeting on the 14th, on the 16th I decided I must not leave. 30

If somebody testified in this court that you said on the/....

the 14th, in other words at the third meeting, that you had decided not to leave, that would be untrue, not so? --- Yes.

Well I put to you that is exactly what you said prior, in other words before your evidence, your subsequent evidence that it was after the 16th that you decided not to leave. Have you any comment thereon? --- Yes, I decided so.

Now in so far as the first meeting is concerned, can you remember when that was held? --- It was on a Tuesday.

What month? --- March.

You remember that clearly? --- Yes.

10

What makes that day stick so clearly in your mind that you can remember the actual day? --- Well we were not - the Sunday thereof we had a youth meeting at our church, so on Monday the girl named Freedom recruited me for the organisation. Then on Tuesday it was the day we attended the first meeting.

Now what was said at this first meeting? --- At the first meeting Sipo told us that they are people of Seiko recruiting people to leave the country for Botswana for military training and he told us that the aim of the organisation is to free black men by violence and then he told us that we must know that when we have left the country, we will not be able to come back and we will not be able to see our parents until we come back to fight. He told us that leaving the country can be done two ways, legally or illegally. Illegally without having a passport. Then at that meeting Chris said that they must arrange for us passports so that we must use it for schooling in Botswana. Joe said that they have to recruit people from Azapo and Azaso and if they have much they will also send them to Botswana. Then Joe said they are still going to arrange passports/.....

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passports, so the meeting was adjourned.

Who is Chris? --- He is a student, from our school.

Now where did he arrive from? --- He was there at that meeting.

I asked you at these three meetings who was present and you said there were four of you present, you, Sipo, Joe and Freedom? --- Yes.

And only the four of you, is that correct, there were only the four of you at each of these meetings? --- Yes, we were four, he is a friend of - the thing of that they must organise passports for us for schooling in Botswana, it was said by Freedom. 10

Not Chris? --- Not Chris.

Now why did you say Chris? --- It is a mistake.

Why did you say Chris and not only did you make a mistake, you said Chris was a student at your school, how could you have made such a mistake. Have you any answer? --- No, I said it was a mistake, it was Freedom.

How could you have made that mistake because you just did not simply said by saying it was Chris, you in fact described Chris as being a student from your school, how could you therefore have made such a mistake by getting Chris mixed up with Freedom. Is there any explanation whatsoever? --- It is just a slip of the tongue. 20

Well how did that slip of the tongue occur? --- It occurred by mistake.

You are now certain that it was not Chris who said that but Freedom? --- It was Freedom.

How many times today have you made the mistake where you confused Chris with Freedom? --- I think it is just now. 30

Only now in cross-examination? Now when I asked you a few minutes ago, is that right or was there another occasion as well? --- Now only when you asked me the question.

Was that the only occasion when you confused Chris with Freedom? --- Yes, that was the one occasion.

Sure? --- Yes.

I put it to you that is also not correct because you mentioned Chris in your evidence in chief, when my learned friend was questioning you. Have you any comment to make on that submission? --- Yes.

10

What is that? --- I do mention before.

You do not know what happened, I put it to you your evidence is very confused, you are confused within your own mind? --- No.

Now did Sipo make mention then of the two ways of leaving the country, at that first meeting? --- Yes, he did mention that.

Were you prepared to leave the country? --- At that stage?

Yes? --- No, I was not prepared.

20

You were not prepared? --- Yes.

Now when was the second meeting to which you have referred? --- It was in April.

Can you remember the date? --- It was towards the end of the month.

Who was all present at this meeting? --- I was present, Who else? --- The three people, Sipo, Joe and also Freedom.

Not Chris? --- No.

Now what was said at that stage, at that second meeting? --- Well firstly Joe told us that they are still arranging/.....

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ranging passports for us.

For whom? --- For the people who....

Who is us? --- Even me.

Yes? --- They are arranging for passports for us to leave the country. Then the second thing he told us is that if there is anyone who wants to read the constitution he will ask for the constitution from Freedom.

Anything else said? --- Then he told us that they are still arranging passport and the meeting was adjourned.

Is that all that was said? --- Yes.

10

How did it come about that you got to that meeting?

--- I was informed by Freedom.

To come to the meeting? --- Yes.

Now at that stage, were you going to leave the country?

--- No, I was not going to.

Now the third meeting, I think you have already given evidence on what was said there, the question of whether you were to leave by passport or lawfully or unlawfully was again discussed and it was also discussed about the question of the pamphlets and the constitution. Is that correct? 20

--- Yes.

Now at the third meeting, were you prepared to leave the country at that stage? --- Yes, at the third meeting I was prepared.

What changed your mind from the second to the third meeting? --- To me, I felt insecure, I felt that I should not leave the country because if I leave the country I may be arrested or what

Is that why you never wish to leave the country? ---
Yes.

30

You never at any stage during any of these meetings
before/.....

before or after they started or after the 16th of June or before the 16th of June, on any occasion wanted to leave South Africa? --- Yes, on the 16th I would not leave.

Before the 16th of June, did you want to leave on any occasion? --- Yes, on the second meeting and the third meeting.

Is that correct, am I understanding you correctly? --- Yes.

So suddenly you wanted to leave at the second meeting. you told this court a few minutes ago that you did not want to leave at the second meeting? --- I said on the first meeting. 10

With the greatest respect to you, are you saying you never told this court that you did not want to leave the country at the second meeting? --- At the first meeting I had not decided to leave the country, on the second and the third I decided and from the 16th I decided not to.

Well I will tell you, you specifically told this court a few minutes ago that at the second meeting you had not decided to leave the country? --- I said on the..... 20

Did you or did you not say that under cross-examination, are you denying that you said that to this court? --- Yes, I deny because I said on the 16th.

Well then, let us in any case come down to the question of what made you then change your mind, whatever it was from not leaving the country to leaving the country? --- What was in my mind to?

From not leaving the country, you said at one stage during the course of these meetings, we will accept for the moment that ^{at} the first meeting you did not want to leave the country. Subsequent thereto and prior to the 16th of June/..... 30

June you did want to leave the country. What caused you to change from not wishing to leave the country to wishing to leave the country? --- By not leaving the country, I feared that when I leave the country and go to Botswana, in Botswana I will not be able to see my parents again.

Is that the reason why you did not want to leave South Africa? --- Yes, due to the fact that I will not see my parents.

The reason why you did not wish to leave South Africa was because you would not see your parents again, is that what you are telling the court now? --- Yes and... 10

Do you wish to say anything else? --- I must continue?

You do not have to if you do not wish to, if you want to say anything to the court please do? --- And the fact that I did not believe in violence.

So the reason you did not wish to leave the country was because you would not see your parents again and because you did not believe in violence? --- Yes.

And then, if that become the motivation for not leaving the country, was that at the first meeting or was it subsequent to the first meeting? --- Not leaving the country is from the 16th. 20

So in other words before the 16th you were prepared to leave the country? --- Yes.

You knew then, at whichever meeting it might well be, let us take your evidence at present that it was the second meeting, on your evidence you knew at that stage that the purpose for you leaving the country was to go for military training? --- Yes, I knew that.

You were quite prepared to leave the country, were you not? --- Yes, I was prepared. 30

But/.....

But I thought now you said a few seconds ago you did not want to leave the country because you do not believe in violence? --- That I decided as from the 16th.

Oh did you believe in violence before the 16th but not after the 16th? --- Yes.

Well then how is it that you told me in your cross-examination that in 1981 you were a peace loving man and you were a man who did not believe in violence? --- I said before.

In 1981, you told this court in 1981 that you did not believe in violence, that you were a peace loving man? --- 10
Yes.

Now you are saying that in 1981 you did believe in violence? --- Yes, I do say so.

Well which is the truth now? Have you any answer? ---
I do not have any answer.

I suggest to you that the reason why your evidence is so confused, untruthful and unreliable because I am going to argue that to this court in due course, because you were never recruited and it was never said to you or even suggested to you that you leave the country for military training? --- 20
I was recruited.

When were you arrested? --- On the 22nd of June.

I suggest to you, I can unfortunately not give evidence, put to you what was said or not said to you on anyone of these occasions but I am suggesting to you that it was never the policy of Seiko to actually take people out of the country for military training? --- It was because it was mentioned by Sipo.

When you were arrested, can you recall who arrested you? --- Well I can describe their.... 30

You do not know his name? --- I do not know his name.

Were/.....

Were you scared? --- No, I was not frightened.

Was that because in your own mind you had done nothing wrong, is that right. Is that correct? --- At the time when they arrested me?

Correct, you were not scared when you were arrested because you had done nothing wrong? --- Yes, at that time when they arrested me.

As far as you were concerned when you were arrested by the police on the 22nd of June, you had done nothing wrong, is that correct? --- Yes. 10

Before I complete my cross-examination, I would like to ask you, had you passed standard ten or are you still busy doing it? --- I am still busy doing it.

Can you tell the court how many statements you made to the police? --- Pages?

Do you know what a statement is? --- Statement?

Yes? --- I know.

How many statements did you make to the police? --- Three.

They were not satisfied with the first statement you made, were they? --- I do not know whether they were satisfied. 20

Well you know whether they were satisfied or not, did they say to you we are not happy with this? --- They did not say that they are not happy or whether they are happy.

Did they accept the statement? --- Whom?

The police? --- Yes, they accepted it.

Why did you have to make three statements? --- Because I must give the truth.

Why did you have to give the truth three times? --- Because it was from the meetings. 30

Why/.....

Why did you have to give the truth three times? --- It was from the meetings.

Yes but why did you have to give it three times, why could you not give the truth once or were they not satisfied with what you wrote the first time was the truth? --- What I wrote the first time?

Yes? --- They were satisfied it was true.

They were completely satisfied with the first statement, were they? --- Pardon?

Were the police completely satisfied with the first statement that you made to them? --- Yes, they were satisfied. 10

Completely? --- Completely.

Why then if they were completely satisfied with the first statement was it necessary for you to make two more statements? --- Because there were three meetings, I had to tell them the truth about the two meetings.

In your first statement, did you not tell them about two of the meetings? --- That is true but it was not all the meetings which we held. 20

Let me ask you this, in your first statement, did you not tell the police about the meetings that you had, all the meetings that you had? --- I told them.

So in your first statement you told them about all the meetings that you had? --- Yes, three meetings, then I did a statement of the first meeting and I made a statement of the second meeting and the third. They were satisfied with that, the first, the second and the third.

Did you make one statement, your first statement was a statement about all three meetings and then thereafter you made three separate statement about each individual meeting/..... 30

meeting? --- Yes, there were three separate meetings, the months were different.

Yes I hear you but please try and understand. In your first statement that you made, did you speak about the three meetings in your first statement, yes or no, in the first statement that you made, did you speak about the three meetings, answer yes or no? --- No.

How many meetings did you speak about in your first statement? --- In the statement I mentioned the first meeting. 10

Only the first? --- And the second and the third.

BY THE COURT: Do you understand the questions, do you understand English? --- Yes, I do understand.

You do understand, you have got no problem what Mr. Coalker is asking you? --- Yes.

CROSS-EXAMINATION: (CONT.) In the first - let me ask you this, in the first statement you made to the police, the very first one, how long was that after your arrest? --- It was before.

After your arrest, you were arrested on the 22nd of June, correct, when did you make your first statement to the police after that? --- When? 20

When? --- It was on the....

Well give us the days, do not try and get the date, was it two days, three days, one day, approximately four days, approximately five days, just give us an approximation? --- It was after one day.

Before you made the statement, were you questioned? --- I was questioned?

Were you questioned? --- Where? 30

Were you questioned? --- When?

Before/.....

Before you made that first statement after one day after your arrest? --- The place?

Were you interrogated? --- Where?

Were you, in other words, did the police interrogate you?

BY THE COURT: In spite of what the witness says, I have the distinct impression for about the past 10 or 15 minutes he is not for some reason suddenly understanding what you are really asking him.

MR. COALKER ADDRESSES THE COURT:

BY THE COURT: I noticed that and this is why I am saying 10 this, for the past ten of fifteen minutes I have the impression for some reason or other he is now not understanding what you are asking. I have this definite impression that that is the position.

PROSECUTOR ADDRESSES THE COURT:

BY THE COURT: Have you information that he has a hearing problem?

PROSECUTOR: (CONT.)

BY THE COURT: What is your home language? --- My home language is North Sotho. 20

Would you care just to speak in your home language and let Mr. Mahlangu the interpreter then interpret for you.

CROSS-EXAMINATION: (CONT.) You made three statements to the police? --- Yes.

Now you have already said that your first statement was made approximately a day after your arrest? --- Yes.

Were you questioned by or interrogated by the police before you made that statement? --- Asked questions?

Yes? --- Yes I was asked questions by the police.

Subsequently to be asked those questions you made a 30 statement? --- This is correct.

That /.....

That was your first statement? --- Yes.

How many meetings did you speak about in that statement?

--- About the three meetings.

Did you tell the police everything? --- I did.

Were the police satisfied with that first statement?

--- They were.

Completely satisfied? --- Yes.

Why was it then necessary for you to make a second statement? --- About the three meetings that we held.

Why if they were completely satisfied with the first statement was it necessary for you to make a second statement about the three meetings? --- I told them the truth and because I did not want them to confuse things, they asked me how many meetings we held, I told them three, then they wanted me to explain about the other meetings. 10

So in your first statement you had not told them about the meetings that you held? --- You mean in my first statement?

Correct? --- I told them about all three meetings.

But what did they say to you when they said you must make a second statement, what did the police say to you? --- When I made the first statement they asked me how many meetings were held, I said three. Then I made a statement of the first meeting, a statement of the second meeting and a statement of the third meeting. 20

When you made the third - maybe we are speaking at cross purposes. Did you sign the first statement? --- Yes, I signed it.

Did you sign the second statement? --- Yes, I signed it.

Now what did the police say to you when they wanted you to make the third statement? --- When I was arrested and/..... 30

and examined by the police, they questioned me about how many meetings were held and I mentioned three, so after finishing the first statement they wanted a second one and after the second one they wanted a third one.

But why did they want the second one, you said they were completely happy with the first one, what did they say to you, what explanation did they give you for making you make a second statement? --- When they asked me how many meetings we held I said three, then I made statements about the three meetings.

10

Yes but when you made that first statement, did you say what had happened at the meetings? --- I mentioned in my first statement what had happend in all three meetings.

Then the police said to you they want to know more about the three meetings and that is why you made the other statements? --- They asked me how many meetings, I mentioned three and this is the reason I had to make statements about the three meetings.

So you made separate statements about each meeting? ---
Yes.

20

So you made the first statement about the three meetings in general and then in respect of each meeting you made a separate statement? - -- They asked how many meetings we held, I said three, they asked me where was the first meeting held at what time and what had happened at the first meeting, when I finished that then I told them we also held a second meeting, I also told them what it was and what transpired and then I came to the third meeting and after finishing I read through all the statements and then signed it.

So you made four statements? --- No, three statements 30
about the three meetings.

In/.....

In any case....

BY THE COURT: Perhaps, I am not to sure but if you would not mind my interrupting for just a moment. Did you make one statement about all the three meetings together and then make three different statements about each of the three meetings? --- No, I made one statement about the first meeting, another one about the second meeting and another one about the third meeting.

CROSS-EXAMINATION: (CONT.) Were those statements made on different days or all on the same day? --- All three were 10
made on the same day.

Now when you were arrested, did you know that - not when you were arrested but do you know at this point in time that it is, generally speaking, unlawful for somebody to agree to go for military training? --- I came to know about that after the 16th.

When after the 16th, what day did you learn or did that knowledge dawn upon you? --- This was on the 18th.

So are you saying that prior to the 18th of June, 1981 you never knew that it was unlawful to agree to go for 20
military training? --- No, I did not know.

Do you read the newspapers? --- Yes, I do

What newspapers do you read? --- The Sowetan.

Before the Sowetan, did you read the World? --- Yes, occasionally.

Were you in Soweto during the 1976 uprisings? --- Yes, I was in Soweto.

You saw what happened in Soweto in 1976? --- Yes, I did.

Did you know that certain members of the Soweto Students Representative Council, that was the student body 30
in Soweto, not so? --- Yes.

Do/.....

Do you remember that a lot of the leaders of the Students Representative Council were charged in court? --- Yes, I do know.

Did you read about it in the newspaper? --- No, I only heard from people.

Had you heard of the ANC, the African National Congress? --- I usually read about it, more so because I do History at school.

That is why you read about the ANC when you read about it in the newspapers, about the trials they have and the people that are charged? --- Just reading lightly, I do not usually go into the whole thing when reading it. 10

Look, you read about it because you are interested in History ? --- Yes.

The Sowetan carried many stories about people charged under ANC - charged with ANC activities? --- Yes.

Many of those charged with ANC activities were charged with agreeing to undergo military training outside the country? --- What I usually read about the ANC people in the newspapers is when the person will be appearing in court and I usually do not follow it afterwards to buy a newspaper on that date to see what happened. 20

- COURT ADJOURNS -

COURT RESUMES:

S.S. MAMABOLO: still under oath;

CROSS-EXAMINATION: (CONT.) You can remember yesterday in saying that you were, you are and were a man of non-violence? --- Yes.

And you-still adhere to that evidence? --- I still adhere to it. 30

You/.....

You would not become a member of a violent organisation?
--- I would not.

So I can therefore assume correctly that when you became a member of or when you were recruited by this person that you call Freedom to join the organisation, to join an organisation, I take it that the organisation which you joined was a non-violent organisation? --- No.

Was it a violent organisation? --- It was a violent organisation.

But you did not become a member therefore because you would not, as you have just said, join a violent organisation? --- Well I was tempted into joining the organisation. 10

You were tempted but you did not join? --- I was tempted into joining and joined.

Oh so you did join? --- Yes.

But I thought you just said that you would not become a member of a violent organisation? --- Yes, I said so, I said I would not join a violent organisation but in this case I was tempted into joining one.

That is not so easy, you are a man of non-violence, you said you as a non-violent person would not join a violent organisation, now you say you did join a violent organisation, how do you reconcile the two? --- I was tempted into joining because I became scared that if she was to be arrested she would then suspect I am the person responsible for her arrest. 20

Are you saying that you joined this organisation in March of 1981 because if she was arrested in March 1981 she would suspect that you were the person that caused her to be arrested, is that what you are trying to tell the court? --- Yes. 30

So/.....

So you knew at that stage that it was wrong to join a violent organisation in South Africa? --- No, at that time the person who recruited me did not tell me that it was against the law to do so, she just recruited me.

Please, you said that you joined this organisation because you feared if the girl who recruited you was arrested she might suspect you were the person who informed on her? --- Yes.

And she would be arrested because she was a member or recruiting for a violent organisation? --- Yes. 10

So you knew that there was the danger of arrest if one belonged to a violent organisation? --- Yes, I knew this but I was just tempted.

Therefore you knew it was wrong to join such an organisation? --- I was tempted into joining because she also did not say to me that this was not a lawful organisation.

Look, do not evade the question, the question was did you know it was wrong to join this violent organisation? --- Yes, I know it is wrong to join such an organisation.

Yes and you knew it at the time? --- Yes, I knew. 20

Then why did you tell this court an untruth a few minutes ago and say that you did not know? --- No, what I said was the person who recruited me did not tell me that the organisation was not lawful.

Please, I put it to you did you know that the - t at it was unlawful to join a violent organisation and you said you did not know, now you say you did know or are you denying that you admitted that you did not think it was unlawful to join a violent organisation? --- No, I said it was wrong for a person to join such an organisation. 30

And unlawful? --- Yes.

And/.....

And you certainly knew that it is wrong to agree to go for military training outside the country? --- You mean out of this country?

Yes to go outside the country and receive military training? --- No, that I did not know.

You did not think it was wrong to go outside the country to receive military training and come back and try and throw the government of the Republic out of office? --- No, I did not know that.

NO FURTHER QUESTIONS BY MR. COALKER:

10

RE-EXAMINED BY PROSECUTOR: Now you mentioned during the course of your evidence the names of four people who attended the three meetings namely Sipo, Joe, yourself and Freedom. Is that correct? --- Yes.

You also mentioned the name of a certain person called Chris? --- No, it is not so.

Apart from the four people, did any other person or persons attend the three meetings? --- No, only the people I mentioned that attended the meetings, nobody else.

What do you understand by the term or the word statement? --- What I understand is that a person has to speak the truth. 20

Yes but let us put it this way, the mere fact that you told the police about the first meeting and the mere fact that you told the police about the second meeting and about the third meeting, did you regard that or do you regard that as three statements? --- Yes, I regard that as three statements.

How many statements did you in fact sign? --- The three statements pertaining to the different meetings. 30

Now how many separate statements did you make altogether/.....

ther? --- In what sense should I differentiate what I was talking about, the first one and so on?

Let me put it this way, the way I see a statement is the following, a statement can consist of one or two or three or more pages and after making such a statement you sign that particular statement at the bottom of the last page? --- That is correct.

How many of these statements did you make? --- Six pages.

Six pages? --- Yes.

10

Are you now saying you made one statement consisting of six pages? --- Yes, in the one six page statement I spoke about the three different meetings.

Was that the only statement you made? --- Yes, the last statement I made was on the 28th at Hartebees, that was the day on which the police showed me a photo album and asked me to point out the people I refer to as Joe and Sipo.

Just to clarify that, you made one statement consisting of six pages? --- Yes.

Did you make any other statement? --- No.

20

So you in fact only made one statement altogether? --- Yes.

And in that statement you referred to the three meetings? --- Yes.

NO FURTHER QUESTIONS BY PROSECUTOR:

BY THE COURT: The first meeting at the DOCC hall in Orlando, was outside the hall or was it inside the hall? --- As one goes in through the door, there is a bench just next to the hall, we were on that bench, inside the door.

What was happening at the hall on this evening? --- There was nothing happening.

30

And/.....

And you did not go into the hall, you just stayed at the bench in the entrance? --- Yes, we were seated on the bench, not inside, this was inside the hall, one goes through the hall, just next to the door inside is this bench where we were seated.

There were just the four of you at that particular place talking to each other? --- Just the four of us.

Now the subsequent two meetings were at the post office in Orlando? --- That is correct.

Where? --- It was at the post office, just in front 10
of the public telephone booth.

So this was outside the building? --- Yes, just outside the building.

And again there were no other people present, just the four of you were talking to each other? --- There were no other people.

DIPALES A CATHERINE THAMAE: beëdig verklaar;

ONDERVRA DEUR AANKLAER: Is dit korrek dat u woon by u ouers
in Welkom? --- Ja. 20

Maar u is sedert 'n geruime tyd al in aanhouding? ---
Ja.

U word aangehou as 'n getuie in hierdie saak? --- Dit
is reg.

Is dit ook so dat voordat u in Welkom gaan bly het was
u woonagtig in Soweto? --- Dit is reg.

Wanneer het u saam met u mense na Welkom toe getrek?
--- In die jaar 1977.

Nou volgens my notas is u gearresteer op die 25e
Augustus, 1981, is dit korrek? --- Dit is reg. 30

Waar is u gearresteer? --- Hulle het my van my ouers
se /.....

se huis kom haal.

Is dit nou in Welkom? --- Dit is in Welkom.

Is u deur polisie van Welkom gearresteer of deur ander polisie? --- Ek is deur die Welkom polisie gehaal.

Nadat u gearresteer is, is u op enige stadium na 'n landdros toe geneem om 'n verklaring af te lê? --- Dit is reg.

Hoe lank na jou arrestasie was jy na die landdros toe geneem om 'n verklaring af te lê? --- Die volgende dag.

Het u ook 'n verklaring gemaak aan die polisie te Welkom? --- Ek het 'n verklaring by die landdros gemaak en ook 'n verklaring by die polisie beampste wat my vrae gevra het. 10

Was dit ook te Welkom? --- Dit was in Welkom gewees.

Hoe lank nadat jy die verklaring aan die landdros gemaak het, het u die verklaring aan die polisie gemaak? --- Ek het by die polisie beampste na ek by die landdros die verklaring gemaak het, dit was op die selfde dag gewees.

Toe jy nog woonagtig was in Soweto tot 1977, was jy op skool daar? --- Ek was op skool gewees. 20

Dra jy kennis van die Soweto of bekend as die SSRC? --- Ja.

Beskuldigde een in die hof is Masebata Loate, ken u vir haar? --- Ja, ek ken haar.

Van wanneer af ongeveer ken u vir haar? --- Vanaf '74.

Weet u of sy op enige stadium betrokke was by die SSRC? --- Ja, sy was.

Hoe was sy daarby betrokke? --- Sy het ons skool verteenwoordig by die organisasie.

Nou beskuldigde twee is Khotzo Seaklolo, ken jy hom of weet jy van hom? --- Ek ken net die naam. 30

Het/.....

Het u gedurende verlede jaar, 1981 vir beskuldigde een gesien? --- Wie is dit?

Masabata? --- Ja, ek het haar gesien.

Waar het u haar gesien? --- In Soweto.

By watter plek in Soweto? --- By haar ouers se huis.

Hoe het dit gekom dat u na haar ouers se huis toe gegaan het? --- Sy het vir my 'n brief geskryf.

Nou wanneer ongeveer was dit in verlede jaar dat u na haar ouer huis gegaan het? --- Die brief het ek in Februarie maand ontvang. 10

Het u in dieselfde maand toe na haar toe gegaan of wat het gebeur? --- Ek het dieselfde maand vir haar gaan sien.

Nou kan u asseblief net aan die hof verduidelik wat gebeur het toe u vir haar gaan sien het by haar ouer huis? --- In die brief het sy vir my geskryf dat sy in 'n ongeluk betrokke was en dat sy in die hospitaal is en toe het ek na haar ouers se huis toe gegaan. Toe ek by haar huis gaan het ek haar daar gevind en ek vra vir haar of sy wel in 'n ongeluk betrokke was en toe het sy vir my gelag. Daarna het sy vir my gesê dat sy weg gaan, dat sy Botswana toe gaan, sy het gesê sy gaan soontoe om 'n vergadering by te woon, sy het gesê dit is 'n vergadering van Seiko, sy het my ook gesê dat sy die sekretaris is van Seiko. Sy het my toe gevra om haar soontoe te vergesel. Sy het my ook gesê dat Khotzo die president is van die organisasie. Sy het my ook gevra om saam met haar na Botswana toe te gaan. Sy het ook gesê dat sy van voornemens is ook om Welkom toe te kom sodat sy lede van die organisasie Azapo van Welkom te kom ontmoet. Die dag toe ek vir haar gaanssien het, het ek saam met my 'boyfriend' gegaan, hy was in die voertuig gewees. Toe ek die huis binne gaan het my 'boyfriend' in die/..... 20 30

die voertuig buitekant agter gebly. Ek het toe vir beskuldigde een gesê dat ek haastig is want daar is mense wat vir my buitekant wag. Ek het toe uit gekom saam met haar, na die voertuig toe gestap, ek het vir beskuldigde een by my 'boyfriend' en die ander mense wat in die voertuig was, vriende van my 'boyfriend' voorgestel. Daarna het ons gery.

Wanneer het u haar daarna weer gesien? --- Sy het vir my daarna kom sien en toe het ek haar gevra of sy nog nie weg is nie. Sy was nog nie weg gewees Botswana toe nie 10 en toe het sy my gevra om saam met haar te gaan, sy het my gesê as ek saam met haar gaan Botswana toe sal ek beter onderwys daar kry en sy het ook gesê dat ek ook vir militêre opleiding sal gaan.

Waar het dit plaas gevind, hierdie gesprek, toe sy jou kom sien het? --- By my ouers se huis.

Het sy gesê hoekom u ook vir militêre opleiding sal gaan? --- Sy het nie gesê hoekom nie.

Wat was u reaksie toe sy dit vir u gesê het? --- Ek het gesê nee, ek is bang. 20

Het sy gesê wie vir u militêre opleiding sal gee? --- Sy het my nie gesê nie.

Het sy op daardie geleentheid vir u gesê of sy nog Botswana toe gaan of nie? --- Wat sy wel gesê het is dat sy vir my weer later sal kom sien as sy terug keer van Botswana af.

Het sy op hierdie geleentheid enige iets by haar gehad? --- Sy het so 'n paar boekies en papiere gehad, sy het ook klerasie by haar gehad.

Het sy daar by u oor geslaap in Welkom? --- Ja. 30

Het u enige van hierdie boekies en papiere van haar bestudeer/.....

bestudeer en gekyk wat dit is? --- Die boekies het ek nie gekyk nie, ek het op een van die papiere, aan die bokant gelees wat daar staan.

Wat het daar gestaan? --- Die enigste wat ek gesien het was die wapen van die organisasie, dit is wat ek gesien het.

Kon u sien wat die naam van die organisasie was? --- Ja, dit was geskrywe gewees, op die wapen.

Wat was die naam? --- Seiko.

Nou na hierdie besoek wat sy aan u gebring het, het u haar weer gesien? --- Nee, na daardie dag het ek haar nie weer gesien nie, sy het gesê sy sal vir my later kom sien as sy van Botswana terug kom. 10

By die eerste of liever by die besoek wat u aan haar gebring het by haar ouer huis te Soweto toe sy vir u van Seiko vertel het, het sy vir u gesê wat is die doel van hierdie Seiko of wat doen Seiko? --- Wat sy vir my wel gesê het is dit, dat hulle beoog om die opressie te verwyder.

Die opressie waar? --- In Suid Afrika en dat hulle onluste wil stig om die regering deur mekaar te maak, die woord gebruik is 'confuse' en dan die regering te verwyder. 20

Het sy vir u gesê as sy nou Botswana toe gaan, of sy 'n paspoort het of nie? --- Sy het nie my gesê van die paspoort nie.

Het sy vir u enige iets gesê omtrent haar pa? --- Sy het my gesê dat haar vader is in Addis Abeba.

Kan u sê of u die naam Sabi ken? --- Ja, dit is Masabata se naam.

Beskuldigde een? --- Ja, Masabat, beskuldigde een.

Weet u of sy op enige stadium 'n verhouding gehad het met Khotzo, beskuldigde twee? --- Hoe 'n verhouding, ek verstaan/..... 30

staan nie?

Of sy 'n verhouding gehad het met beskuldigde twee? ---
Ek is nie daarvan bewus nie.

GEEN VERDERE VRAE DEUR AANKLAER:

CROSS-EXAMINED BY MR. BIZOSG: Do you remember the date on
which the police came to your home in Welkom? --- I remem-
ber the month, not very clear on the date.

What time of the day or night was it? --- They came
during the day and it was about one o'clock.

Who came? --- Three black policemen. 10

Your friend Masabata would like to hear what you have
to say when you say - do you mind not whispering in the In-
terpreter's ear and speak up in the way which you used to
speak to Masabata on the school playgrounds and at her home?
--- I understand.

The three policemen came at about midday? --- Yes.

What did they say to you? --- They said the police would
like to see me at the police station.

Yes, did they themselves, the three persons who had
come to fetch you, tell you nothing about why you were 20
wanted? --- No, they did not.

And you were taken to the police station at Welkom,
what time was this? --- I did not look what time it was when
we arrived at the police station.

Was it during the afternoon? --- It was shortly after
they fetched me from home.

Who did you meet at the police station? --- I met a
white policeman.

So you know his name? --- They did not tell me their
names. - 30

Did you meet more than one policeman, white policeman?

No/.....

--- No, I said white policemen.

Men, in the plural? --- Men, in the plural,

How many? --- I did not count how many there were.

Why, is it because there were so many? --- Not very many.

Please tell us more or less how many white policemen there were that the three black policemen took you to? --- I would say approximately eight.

Did the three black policemen remain with the three black policemen or did they go away? --- The three left.

And you remained with the eight white policemen? --- 10
Yes.

Now for how long did you remain in the company of the eight white policemen? --- Up to the time they said they were closing.

For how many hours? --- I do not know how long it was, I did not have a watch with me.

Yes I know but you do not have to look at a watch if you want to see more or less how long it is, for how long were you with the eight white policemen, how many hours, more or less, you do not have to be accurate? --- I would 20
estimate from the time we arrived, shortly after I was fetched from home up to about four o'clock when they closed.

So would it be about two or three hours? --- Yes, more or less.

Did all the eight policemen remain in your company throughout this period of two to three hours? --- Yes.

What were they doing there, the eight policemen for two or three hours with you? --- They were questioning me.

Just one of them or all of them or some of them? ---
Any one of them could ask me a question. 30

So they put questions to you in quick succession, each
one/.....

one picking up the question from the other? --- Yes.

Now during this period of two to three hours of your stay at the police station, did anyone of them make a note or anything? --- Yes, one of them was writing.

Did he appear to be writing down the questions and the answers? --- I did not see what he was writing.

Well was he writing, did you get the impression that he was writing what was happening there, what you were being asked and what you replied or was he busy writing something which had no connection with your presence and your ques- 10
tioning there? --- He looked as though he was writing what was being said in that room.

Did he himself chip in with a question once in a while? --- Yes, he did.

During the time that you were being questioned, was it indicated to you that your friend, Masabata had been arrested? --- No, it was not indicated.

Did you not know that she had been arrested? --- No, I did not know.

When did you find out for the first time that Masa- 20
bata had been arrested? --- They came to tell me.

Who came to tell you? --- It was a white policeman who came to tell me.

Before or after this questioning at the police station? --- It was long after my detention.

Would you please tell us, take your time, all the questions that you were asked by the police during that two or three hours. What you were asked, what you were told, take your time? --- I was asked when I had last seen Masabata.

What else were you asked? --- What we had discussed. 30
Yes and what else were you asked? --- That is all.

So/.....

So that is only two questions, that does not take two or three hours, it does not need eight healthy men. What happened for the rest of the time during this two or three hours? --- I have forgotten the other questions.

How could you have forgotten them, this must have been a traumatic experience for you, a bad experience, how come you forgot what happened in the period of two to three hours? --- What happened is, when they asked me when I had last seen her, I forgotten and they gave me time to think.

For how long did you think to answer the first ques- 10
tion, take your time and tell us how long you took to answer the first question? --- It was not long.

For as long as you thought now? --- About five minutes.

And the eight gentleman that were there in the same room with you, did they just stand silently and look at the ceiling whilst you waited for five minutes, you thought for five minutes when last you had seen Masabata? --- They were just quiet and looking at me.

Well that accounts for five minutes of the two or three hours, then you remember the one other question. Did you 20
want time to think before you answered that question as well? --- They also gave me time to think back about what our discussion was.

Yes but now how long did it take you to answer the second question? --- It was not long.

How long? --- About five minutes.

During this period of two to three hours, did you yourself sign any document? --- No.

Did you sign any document whatsoever on that day? ---
No.

Were these notes that were made by the one person, by
one/.....

one of the eight persons read back to you? --- No, it was not read.

Are you telling His Worship that for a period of two to three hours you were asked two questions only by this eight men and

BY THE COURT: This is not what she said.

CROSS-EXAMINATION: (CONT.) You only remember the two questions, I beg your pardon, you only remember the two questions? --- Yes.

Is it possible that you were asked lots of other 10 questions which you have forgotten about? --- I was only asked when I had last seen her and what we discussed on that day that I had last seen her, those were the two main questions.

Did they not ask you any questions about Seiko? --- No, they did not.

Did they not ask you any questions about Khotzo? --- No.

Did they not ask you whether you yourself have travelled in any way out of the Republic? --- No, they did not. 20

Did they not ask you whether you had any interest in politics? --- No.

Did they not ask you whether you knew anything about the SSRC? --- Yes, I was asked about that.

Yes, so it is a third question, I accept those three questions, do you remember any other questions? --- No.

Now when you took about five minutes to answer the first question and possibly the same period of time the second question, were you not asked what it was that you had to think about, why it took you five minutes to answer simple questions? --- No. 30

Did/.....

Did any of the gentlemen there show any impatience? ---

No.

Did you tell them everything you knew during that period of two to three hours on the first day of your apprehension?

BY THE COURT: She knows about what, it is a very wide question?

CROSS-EXAMINATION: (CONT.) That you knew about Masabata? Will I repeat the whole question so that there is no misunderstanding, did you tell the police everything you knew 10 about Masabata and everything that you have mentioned to His Worship today during that period of two to three hours on the first day of your apprehension? --- Yes.

Did anyone express any reservation that you were keeping anything back in their opinion or show any anger or impatience with you? --- No.

So what happened to you at the end of that period? --- I was locked up.

Why? --- I do not know.

Did anyone not explain to you why you were being 20 locked up? --- They said I would talk to the magistrate the following day.

Who said that you would talk to the magistrate the following day? --- One of the policemen.

Whose idea was it that you should talk to the magistrate? --- It was one of the policeman's idea.

What did he say? --- He said the following day I will be taken to a magistrate.

Why? --- To go and tell the magistrate what was discussed during the questioning. 30

Was any reason given why you should go to the magistrate?

BY/.....

BY THE COURT: Can I just interrupt, what was discussed during the questioning by the police of you? --- This is correct.

CROSS-EXAMINATION: (CONT.) Was any reason given by anyone why you should go before a magistrate? --- No, I was not given a reason.

Did you wish to go and speak to a magistrate? --- No, they said I should go to the magistrate.

Did they give you no reason why you should go to the magistrate? --- No. 10

Did any of these people, any of the eight on the afternoon of your questioning tell you that you are not obliged to answer any of their questions? --- No, that was not said to me.

Did anyone say to you - did anyone accuse you of anything? --- No, I was not accused.

Were you not anxious to know why you should go to the magistrate, why you were being detained if you felt that you had not done anything wrong? --- I was and I asked why I was being taken to a magistrate. 20

Yes and what was said to you? --- I was only told that Masabata had put me into trouble.

When were you told that? --- This was the following day when I was taken to the magistrate.

Before you were taken to the magistrate? --- Yes before going to the magistrate.

Okay, we are going to come to the next day before you went to the magistrate but let us just stay with the day in the afternoon, when you were there for three or four hours. Did you not ask one or other of the eight police officers why you were brought to the police station, why you/..... 30

you were being questioned, why you were going to be detained, why you had to go to a magistrate. Did you ask any of them any of those questions? ---I was only told that I was there for questioning.

Tell me, what time did you go to the magistrate the next day, was it the next day that you went to the magistrate? --- It was the next day.

What time more or less? --- It was at about nine in the morning.

At what time were you taken out of your cell? --- I was far from there and they had to fetch me.

Who fetched you? --- I was fetched there by a white policeman.

Was he one of the persons who was present during the previous afternoon to interrogate you? --- Yes.

Was he alone or was he together with somebody else? --- There were two of them.

Were you taken directly to the magistrate or were you taken to their office? --- I was first taken to their offices.

How long did you remain at their offices before you were taken to the magistrate? --- It was a short time, they were waiting for the magistrate to arrive.

When was it that you were told that Masabata had put you into trouble? --- On that morning.

In the car or in the office? --- In the office.

How many policemen were present when you were told that Masabata had put you into trouble? --- I do not remember how many were there.

More or less? --- I would estimate about the number of policemen that were present the previous day.

On/.....

On a rough and ready basis it was the same group of approximately eight? --- Yes.

During the course of that morning, did anyone tell you that you were not obliged to make any statement, you are not obliged to go to a magistrate? --- No.

What effect did the presence of eight policemen in the same room and you being questioned, both on the afternoon on the first day of your apprehension and the second morning, what effect did this have on you, being questioned by policemen in the presence of so many other policemen? --- I was scared. 10

Now did you think that you could remain quiet and not answer their questions? --- No, I did not think of keeping quiet.

What did you think would happen to you if you had said I know of nothing wrong that Masabata had done? --- It never occurred to me that I should say so, the position is I was questioned before I was told that she is the person who had put me into trouble.

Did anybody tell you how she put you into trouble? --- No, I was not told. 20

Did you not want to know how? --- Yes, I was anxious, I wanted to know.

Why did you not ask? --- I was very much scared.

Why were you afraid to ask a question? --- They had questioned me about Masabata before telling me that she had put me into trouble.

Why do you not answer the question, I am going to suggest that that is not an answer, it gives the impression that the answer that you have just given, you gave an answer to a question that was not asked at all. The question was/..... 30

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