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Ek stel duidelik aan elkeen dat my verslag gaan direk aan die Minister en wat ek in my verslag sê is vertroulik".

This assurance was also given to Dr. Aggett. Usually his instructions to Station Commanders regarding detainees were carried out. Dr. Aggett told him on the 22nd that he did not need medical attention. When a detainee has a request or a complaint he writes it down verbatim. Mr. Lerumo was interviewed on the 20th November at John Vorster Square. He then said -

"In regard to treatment I am treated well. I have no complaints".

On the 9th December, 1981 he said -

"My health is fair, a doctor is not necessary. Treatment: On the 4th December, 1981 I was taken to Sandton Police Station where a chain was put around my neck and I was threatened. Malherbe Security Policeman did it. He said if I do not speak the truth they will kill me and that I tried to run away. I do not want him to be charged, I forgave him".

On the 4th January, 1982, he said -

"Treatment is good. No complaints".

On the 27th January, 1982, he said -

"My health is good. Doctor not necessary. Treatment: No complaints."

On the 17th February, 1982, he said -

"Treatment: On the last two Sundays I wasn't allowed out of the cell for a wash and exercise. Otherwise it is fair.

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Except for the incident at Sandton on the 4th December, 1981, the Security Police has not done anything to me. Requests: None.

No other complaints".

On the 4th March, 1982, he said -

"Treatment is good. No complaints".

He interviewed Mr. Momoniat who said on the 7th February, 1982 -

"Health: I am in good health. I see a doctor fortnightly for check-up, had one on the 15th February, 1982. The food is of a very low standard and it is the same every day. I get vegetarian meals, the food is brought to me four times per week, that is from outside. Treatment is fairly good but I am allowed out of the cell only once a day before noon for a shower and some exercise. I would like to have a special session for exercises. John Vorster Security Police intimidated me already and have given me a few smacks during interrogations but was not seriously assaulted. Requests: I am getting reading material and I'm allowed a radio in the cell. I request that I be allowed to be visited mainly by my family. I also ask that I be charged or released as soon as possible. I have no other complaints."

On the 4th March, 1982 -

"My health is good but I would like to see a doctor for a check-up. With regard to food, there has been no improvement in the food. I still get food from home four to five times a

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week. Treatment: The ventilation in my cell is very bad. I ask to be transferred to a cell with more air."

He interviewed Mr. Naidoo who said on the 18th December, 1981 at Vereeniging -

"Treatment is good here, no complaints. I want a Hindu Bible and that is all. No complaints at all."

On the 1st February, 1982, at Vereeniging -

"I saw a doctor last Tuesday about my right ear. He gave me tablets which helped otherwise health is good. Will ask for a doctor again if necessary. Food: I get only brown bread and coffee for breakfast and supper. The food for lunch is good, would like to have porridge for breakfast in addition to bread and coffee. Treatment: I have no complaints. Request: I need toothpaste, toilet soap and Steradent tablets, clean pillowcase, beard and moustache trim, that is all. No other complaints."

On the 25th February, 1982, at Vereeniging -

"I feel well. I saw a doctor on the 22nd February, 1982. I will ask for a doctor again when necessary. Food: I now get porridge for breakfast in addition to brown bread. I'm satisfied with the food and have no complaints. Treatment is good here. The Security Police have not been good to me when I was detained the first week but I do not want to talk about it. Request: I need beard and moustache trim and a haircut. No other complaints."

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He interviewed Mr. Nanabhai who said on the 26th
January, 1982 at Norwood -

"At the moment I am okay. I have seen a
doctor and will be seeing him again today.

The food, I do not eat pork, the other food
is satisfactory. Treatment: no complaints.

Requests: None. No other complaints".

The 15th February -

"Die volgende week se besoek was die 15de
Februarie 1982, weer by Norwood. 10

Wat is die datum, mnr. Mouton? --- Op die 15de
Februarie 1982. 'I still feel alright. I

will ask for a doctor if and when necessary.

Food: I am satisfied with the food I get.

I get enough food. Treatment is good. I

have no complaints. The Security Police has

also treated me well. Request: There is

nothing I require. I have no complaints at all.'" 10

On the 4th March, 1982 - the food is good. Treatment:

"Health is good. I have seen a doctor on the 20

1st March, 1982. No complaints in regard to

food and no complaints with regard to the

treatment. Requests: I ask that my case be

expedited. No complaints at all." 10

He interviewed Mr. Ngwenya who said on the 11th December,
1981 at Sandton Police Station -

"I saw a doctor yesterday and he gave me

medicine. My whole body was painful. The

food is okay, the treatment is fine. 10

Request: I want an English Bible, that is all. 30

I was beaten up on the 27th November, 1981,

/ but ...

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but I do not want to lay a charge or say anything about it."

On the 29th December, 1981 -

"My health is fine, doctor not necessary.

Food is not varied but quality is good.

Treatment is fine, no complaints.

Requests: Bible not received. No other

complaints.

On the 17th February, 1982 -

"Treatment is good. I have no complaints. 10

Since 17th November 1981 the Security Police

have not done anything to me."

On the 4th March, 1982 -

"I still have stomach problems but I saw

a doctor yesterday. He said he will arrange

for me to see a psychiatrist on the 5th

March, 1982. I cannot eat spicy food due to

ulcer. I get milk except over weekends. I

cannot describe the food as bad. Treatment:

The police wake us up at night to check, 20

they kick the doors and make noises. I am

a bad sleeper and I do not like being woken

up at night. On the 27th February, 1982

Warrant Officer Marais kicked the door and

ordered me to stand up. He said "staan op,

kaffer". I got up and went to him at the door.

He asked me "wat is jou probleem, kaffer?"

I said to him not to call me 'kaffer' and told

him that I am taking sleep tablets. He said

He will wake me continuously and he slammed 30

the door and walked away. He came back

/ several ...

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several times and woke me up again but I ignored him. I want to lay a charge against Warrant Officer Marais for calling me a "kaffer". I do not get sun and fresh air. I am still in the same cell. Request: I was not given a haircut. I would like to see my parents from time to time. No other complaints." He interviewed Mr. Njikelana on the 4th January and reported -

"Health is okay, doctor not necessary.

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Treatment: no complaints".

On the 22nd January, 1982 -

"I can say I am okay. I saw a doctor last week. Had stomachache I will ask for a doctor if and when necessary. Food: I ask that food be varied a little. That is all.

Treatment: No complaints. Requests: I have

had no response to my request on the 4th January, 1982. No other complaints."

On the 17th February, 1982 -

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"Treatment is satisfactory here and I have no complaints. The Security Police treated me well so far."

On the 4th March, 1982 -

"I saw a doctor since last interview and he prescribed medicine. I want to see a doctor again. Food: My complaints are the same as last time. There has been no improvement in the food. Treatment: I have no complaints."

On the 22nd April, 1982 -

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"Treatment: no complaints."

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He interviewed Mr. Coleman who never had any complaints about any assault. On the 17th February, 1982 he said, Mr. Coleman reported --

"Treatment is satisfactory here. The Security Police have been treating me well physically all along."

He interviewed Dr. Floyd who said on the 22nd December, 1981 -

"Medical doctor at Baragwanath. Health: I suffer from arthritis for which I receive medical treatment. It is not necessary to see a doctor at this stage. Also suffer from toothache and would like to see my dentist again. Food is satisfactory. I get enough food and the quality is good. Treatment is satisfactory. No complaints. I require toothpaste, no complaints at all."

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On the 26th January, 1982 -

"I have seen a dentist and a doctor. It is not necessary to see a doctor at this stage. The food is satisfactory and adequate. No complaints. Treatment is fine, no complaints. Requests: None. No other complaints."

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On the 6th February, 1982 -

"I am feeling very depressed as a result of Dr. Aggett's death. One can say he is my husband although we were not legally married. We lived together as man and wife for the last seven years. My family told me at Hillbrow Police Station about the circumstances of his death. Last Thursday at John Vorster Square

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three Security Policemen threatened me. One said he will make me stand day and night if necessary for three days to make me talk. Two said I would get a five-year sentence because I was withholding information. One was Lieut. Whitehead and one Captain Olivier. I don't know the name of the third one, I think he is a Captain from Newcastle in Natal. He and Olivier said I could be gaoled for five years. I said to the one from Newcastle that it is ridiculous and he said I will continue standing for a long time because I was being cheeky. After an hour I said to him I was suffering from arthritis, he allowed me to sit down. Lieut. Whitehead came in and wanted to know why I was not standing. The one from Newcastle explained that I have arthritis. After I had heard of Aggett's death I am scared to go back to John Vorster Square because of Neil's death. I am scared to be left on my own. The lady in the ward is my police guard. I am at present in extremely nervous tension. The Security Police did not assault me physically, only mentally. This is all I want to say except that I have been allowed to go to Aggett's funeral. I wrote my statement the first week in January. I was not interrogated after that until last Thursday when I was taken to John Vorster Square where the incident which I related to happened."

Maurice Peter Smithers, testified. Exhibit W is his affidavit. During November, 1981 to February,

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1982 he was detained at Randburg Police Station. He was frequently taken to John Vorster Square where he had to type out a statement. It is difficult to remember when he was taken to John Vorster Square for the first time. He completed his statement on the 4th January, 1982. As far as he can recall he went again on the 25th January, 1982. He did not meet any other detainee at John Vorster Square on such visits, nor did he speak to any of them. On the 25th January, 1982, he was taken to John Vorster Square on his visit to see an optician. They arrived at John Vorster Square very close to 9.30 a.m. He was taken to the tenth floor. He was accompanied by Security Policemen Mageta and Mashinini. On the tenth floor he was taken to a large office where he waited until approximately 10, 10.15. The number of the office is not known to him. Policemen/were with him in the office, including Mageta and Mashinini. He observed Dr. Aggett being questioned in the next office by six or seven policemen. All of them were standing. Three policemen left and the other sat down. Dr. Aggett was still standing. He made these observations through frosted glass which forms part of the partition from waist-height upwards. He said: One can see fairly clearly what is there. One can distinguish shapes and it is possible to recognise people that you know, not necessarily people you don't know." He did not recognise any of the policemen. He continued - "I could hear ^{the} murmur of voices but could not actually hear any questions being asked at all. I could not distinguish any words at all." After about three-quarters of an hour in this office he was taken to the optician to order a new lens for

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his glasses. One was broken. They arrived back at John Vorster Square at about 11.10 and he was taken to the same office on the tenth floor where he sat down at the desk, at the same desk. Black policeman were in the office, some moved in and out. He sat there until about 12.10. Again he saw Dr. Aggett in the adjoining office. Dr. Aggett had no shirt on and was standing in the same position, he had a white shirt on before. There were three policemen in the office with him. He could not be able, he would not be able to say whether they were the same three policemen who had been there when he left for the optician. Dr. Aggett was just standing there being asked questions, that was clear from his gestures. He could not hear what was being said or could not hear distinct words that were spoken. One policeman indicated to Dr. Aggett that he should get down to the ground. This he could see from the way he gestured. Dr. Aggett disappeared from his sight. He heard a cracking noise which sounded like flesh being hit. He could see a man moving his arm. It happened at least twice. Dr. Aggett stood up again and was ordered to run on the spot with his arms outstretched in front of him. From the movements he surmised that he was running on the spot. This went on right up till 12.10 p.m. One was hitting him with what seemed to be a rolled up newspaper, he cannot recognise the policeman, it is very difficult to recognise somebody that you don't know through the window. Dr. Aggett also had to do push-ups or to use his words, "so I assumed that he must have been doing some form of exercise". At about 12.10 p.m. Dr. Aggett dressed and he was taken out of his office. He asked the time from a policeman whilst he

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was watching. He only saw Dr. Aggett through the frosted glass. Shortly after this he was taken back to Randburg.

At some stage probably later that evening he decided that it was important that the family and friends of Dr. Aggett should know what was happening to him, so he wrote out a miniature note which gave information about what he had observed. This note was destroyed after he had heard of Dr. Aggett's death. He wrote another note, Exhibit EE.1 indicating that he knew of the death.

During examination by Mr. Schabert he stated 10
inter alia, he was never physically ill-treated at all. He saw the District Surgeon on a number of occasions whilst in detention. Once the message got through to John Vorster Square he usually saw the doctor fairly rapidly. The doctors were pretty reasonable about the position.

During an inspection by Counsel and the Prosecutor he pointed out office No. 1011 as the office where he was when he saw Dr. Aggett being ill-treated. He thinks that Dr. Aggett was in No. 1012. He did not mention anything 20
 about this incident to any other policeman at Johannesburg or Randburg. The police never used the incident to scare or to induce him to do something. He doesn't dispute that he had ample opportunity to mention the incident to the Station Commander or to the Magistrate and to the Inspector of Detainees but he did not. His note was smuggled out after the death of the deceased, was taken to a lawyer who then decided that the best thing to do was to give it to the member of Parliament, Mrs. Helen Suzman who then read it out in Parliament. He was glad that something had been done with it. At page 540 his evidence reads - 30

"I see. Now might I ask you, in your state-

/ ment ...

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ment, in your note you state that please give Yvette specially but also everyone else all my love and strength, we must go on. What do you mean by that? --- What I meant by that was that myself and Neil and certain other people would like to see some sort of social change and feel that we are working in some way towards that and that people should not feel that they should give up that legitimate work just because somebody had died as a result of it."

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In the cell at Randburg he had a guitar and mouth-organ. He did exercises in the court yard outside his cell.

During examination by Mr. Bizos he stated inter alia, if he had received any ill-treatment he would have complained to the officer in charge and to the magistrate and to the Inspector of Detainees.

When examined by the Presiding Officer he stated that he saw Dr. Aggett at least three times at John Vorster Square. It could be four or five times. There were policemen with him on each occasion, it is impossible to say whether they were the same. When he handed the note to his sister he gave her no instructions what to do with the note. It is possible that during the 25th January to the 5th February, 1982, the Inspector of Detainees visited him and even more probable that a Magistrate visited him.

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Jabulani Petrus Dladla, a Lieutenant in the South African Police and a member of the Security Branch testified, Exhibit FF is his affidavit. On the 25th January, 1982, he and Warrant Officer Mashinini fetched

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/ Mr. ...

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Mr. Smithers from Randburg to John Vorster Square. After he had parked the vehicle he followed Mr. Smithers and Warrant Officer Maahinini to the tenth floor. He found them in office No. 1011, a general office. He saw Lieutenant Makhoro in this office No. 1012, adjacent to office No. 1011.

During examination by Mr. Bizos he stated he cannot say who was in Lieutenant Makhoro's office on the 8th February, 1982. If the door of the office is closed he would not be able to see who was inside. There is a telephone in Lieutenant Makhoro's office which is used by other members of the staff. Major Cronwright asked him whether he could remember he fetched Mr. Smithers from Randburg. He recalled the date because on the same day he had to attend to important visitors. Sometime office No. 1012 is used for interrogations. He was not at John Vorster Square between 11 and 12.15 on that date. He would say he left John Vorster Square at 10 a.m., shortly after he had brought Mr. Smithers there.

Dr. Aggett and about half a dozen security officers were not in office No. 1012 whilst he was there on that date. One can see a figure through the frosted glass which separates office No. 1011 and 1012 but would not be able to say who it is.

Mahané Bredon Makhetha a Constable in the South African Police and a member of the Security Branch at Vereeniging testified. The affidavit, Exhibit GG was submitted by him. On the 25th January, 1982, he was on duty in office No. 1011 on the 10th floor, John Vorster Square. He shared the office with other members. Mr. Smithers was brought in by Warrant Officer

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Mashinini. Mr. Smithers was kept there not for long and then Warrant Officer Mashinini took him to an optician in Hillbrow and from there back to John Vorster Square to the same office. He stayed to look after Mr. Smithers. It is possible that he left the office on occasion to go to the toilets or the tearoom. However, a guard was always present. Later he and Warrant Officer Mashinini escorted Mr. Smithers back to Randburg. During the time Mr. Smithers was in this office No. 1011 nothing was happening in the adjacent office No. 1012. He did not have a watch on him on that date.

During examination by Mr. Bizos he stated inter alia, office No. 1012 is usually occupied by Lieutenant Makhoro. The Lieutenant was in his office when he went to fetch a newspaper there early at about 8 a.m. but he cannot say whether he was there later because from where he was seated he could not see who was in the office. He does not remember office No. 1012 being used as an interrogation room. He saw Dr. Aggett on the tenth floor but does not remember seeing him being taken to any specific office. He does not remember office No. 1012 being used as an interrogation room during the period the 5th December, 1981 to 8th January, 1982. He forgot when he fetched Dr. Aggett from the cell for the last time. On the 25th January, 1982 he was at intervals not in office No. 1011 and he cannot say whether it was then used as an interrogation room.

During examination by Mr. Schabort he stated that it was the first time he had to take a person to an optician, that is why he remembers the incident. During the time he was with Mr. Smithers the things alleged by

/ Mr. Smithers ...

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Mr. Smithers did not happen. Secondly, the distance Mr. Smithers was from the partition would not have allowed Mr. Smithers to see what was happening. It would take only about two or three minutes to go to the toilets or the tea room.

Caswell Makhoro , a Lieutenant in the South African Police and member of the Security Branch testified. He made the affidavit Exhibit AA. He normally occupies office No. 1012 on the tenth floor, John Vorster Square and he is in charge of the black members of the staff. 10
On the 25th January, 1982, Mr. Smithers was brought to John Vorster Square and taken to an optician in Hillbrow. Whilst at John Vorster Square Mr. Smithers was kept in office No. 1011, next to his. He was attending to administrative work. On this date his office was not used as an interrogation room. The partition between office No. 1011 and 1012 is of a wood and glass. One can see through the glass if there is somebody on the other side, but cannot recognise him except if he is walking past the door. 20

During examination by Mr. Bizos he stated inter alia, he would not be able to distinguish a clean shaven person and a bearded person. When he was asked by Major Cronwright whether he was in his office on the 25th January he could still remember he was, but also verified it from his book in which he makes entries of what he did. It is possible that he left his office for short periods, but on duty he did not leave the ninth and the tenth floor. Mr. Smithers went past the door of his office. He did not see Dr. Aggett on the 25th January. However, when 30
shown the entries in the occurrence book he admitted that

/ he ...

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he signed for Dr. Aggett on the 25th January. He is not able to say when he saw Dr. Aggett before the 25th January but thinks it is the 4th. He handed Dr. Aggett over to Lieutenant Whitehead in the passage. His office was used as an interrogation room early in January and about middle December. He is not sure of the dates.

When examined by Mr. Schabert the witness stated it is possible that he signed for a detainee, but that the latter had been taken up by another person.

George Mashinini, a Detective Warrant Officer 10 in the South African Police and member of the Security Branch testified. He made the affidavit, Exhibit JJ. On the 15th January, 1982, at about 8.45 a.m. he and Lieutenant Dladla fetched Mr. Smithers from Randburg. They took him to office No. 1011 on the tenth floor, John Vorster Square. He left with Constable Makhetha and stayed in his office No. 1014 until he and Constable Makhetha took him to the optician. On their return to John Vorster Square Constable Makhetha took him back to office No. 1011. He did not see anything going on in office No. 1012. When 20 he went into office No. 1012 he found Lieutenant Makhoro inside alone. In his affidavit he stated -

"I passed Lieutenant Makhoro's office on several occasions but did not see or hear any activity in his office as described in detainee Smithers's affidavit dated 12th April, 1982. I have no doubt that I would have become aware of the fact that such activities were taking place in that office if it actually happened." 30

Office No. 1014 is right opposite No. 1012 and he can see

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it clearly when he is in his office. He can see a figure through the frosted glass, but cannot recognise a person, even if he is known to him. Office No. 1012 was used for interrogation during middle December, the beginning of January. It is possible that he fetched Mr. Smithers on other occasions. Mr. Smithers is the only person he took to an optician. He checked in his book and verified it was the 25th January he had taken him. The entries in his book are made every day. Makhoro called him into his office No. 1012 to attend to telephone calls on the 25th January, 1982, after he had returned from Randburg and the optician, he would say whilst Mr. Smithers was still there. He does remember receiving a telephone call in office No. 1012 on the 25th January from a member of his family, a chief in Swaziland, who notified him that the King wanted to see him. He then started to make arrangements to go to Swaziland. This is why he remembers this specific telephone call in connection with this date that he went to fetch Mr. Smithers. This telephone call was long and Lieutenant Makhoro was in the office then and nobody else. He remembers this call was on the 25th, because he had been waiting to take Mr. Smithers away.

Martin Johan Naude, a Captain in the South African Police and member of the Security Branch at East London testified. He made the affidavit, Exhibit UU. From the 26th October, 1981, he assisted at John Vorster Square in the investigation of activities of certain Trade Unions. He was involved in the interrogation of Dr. Aggett from the 15th December, 1981. Dr. Aggett was on the tenth floor for interrogation on various dates. Initially

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Sergeant van Schalkwyk assisted him, then they were later joined by Lieutenant Whitehead. On the 4th January, 1982, Dr. Aggett was on the tenth floor for questioning. Lieutenant Whitehead and Sergeant van Schalkwyk were present. He noticed that Dr. Aggett's hair was not the same as he had seen it when he left on the 22nd or the 23rd December. Dr. Aggett informed him that he was expecting his father to visit him and his mother and sister and for that reason he cut his hair and beard. Later during the day he told Dr. Aggett to round off his statement and he provided a typewriter to type the statement. On the following days Dr. Aggett worked on the statement until it was completed on the 8th January, 1982. Dr. Aggett was not assaulted in his presence and he never noticed any signs of assaults on Dr. Aggett. He appeared to be normal. His relationship with Dr. Aggett was good. In his presence Dr. Aggett was treated well and afforded opportunities to rest and relax. He doesn't regard the first statement made by Dr. Aggett as satisfactory. He was in charge of the investigation on the 4th January, 1982. Dr. Aggett did not complain to him about any assaults. It is unlikely that he might have missed a mark on Dr. Aggett's arm but it is not impossible. He is certain that he would have become aware of it if there was such an assault. The document, Exhibit B.3 is known to him, it was written by Barbara Hogan and addressed to the ANC in Botswana. He was not totally satisfied with the first statement by Dr. Aggett. It was left to him how to conduct the interrogation.

Dirk Jacobus Lucas, a Warrant Officer in the South African Police and a member of the Security Branch

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at John Vorster Square testified. He made the affidavit, Exhibit XX. He assisted in the interrogation of Dr. Aggett. Lieutenant Whitehead phoned him on the 28th January, 1982, and requested him to assist after 4 p.m. on that day, whereupon he joined Lieutenant Whitehead at about fifteen to twenty minutes later on the tenth floor at John Vorster Square in, he thinks, office No. 1020. Dr. Aggett was there. The atmosphere was friendly. Dr. Aggett was seated behind the desk and had notes. Both of them questioned Dr. Aggett from time to time. At about 11.30 p.m. Dr. Aggett went to sleep on a campbed which was in the office. He and Lieutenant Whitehead went and sat in an office opposite to Lieutenant Woensdrecht's office. Dr. Aggett woke up the next morning between 5.30 a.m. and 6 a.m. He left this office while Lieutenant Whitehead stayed with Dr. Aggett. Dr. Aggett co-operated on the subjects he discussed with him. Lieutenant Whitehead was not satisfied with all the answers given by Dr. Aggett. They tried to win his confidence and encourage him to divulge all the information he had the activities they were investigating. Dr. Aggett did not object spending the night in an office on the tenth floor. He never complained that he was tired. There are toilet facilities on the tenth floor but no shower. Dr. Aggett only had one set of clothes on the tenth floor. Lieutenant Whitehead did not shout at Dr. Aggett, or become annoyed in his presence.

Karel Johan de Bruin, a Detective Warrant Officer in the South African Police attached to the Security Branch at Ladybrand testified. He made the affidavit, Exhibit VV. From the 3rd December, 1981 he assisted at John Vorster Square. On the 25th January, 1982, he

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began to take part in the interrogation of Dr. Aggett. Lieutenant Whitehead and Warrant Officer Carr, were also involved. The interrogation took place in the office of Lieutenant Woensdrecht, in office No. 1020 and commenced at about 9.30 a.m. Dr. Aggett was also questioned on the 26th, 27th and 28th January, 1982. When he arrived at the office on the 29th of January, 1982, at about 8 a.m. he found Dr. Aggett on the tenth floor in the company of Lieutenant Whitehead who told him that they worked during the night and that Dr. Aggett was busy preparing a full statement. Lieutenant White- 10 head left and he remained behind with Warrant Officer Carr. Warrant Officer Carr left at about 10 a.m. He remained with Dr. Aggett until 4 p.m. He did not question him because he was working on his notes and statement. Dr. Aggett was seated and had food and drinks during the day. Lieutenant Whitehead returned after 4 p.m. He questioned Dr. Aggett again. After 5.30 Dr. Aggett had supper with him and Lieutenant Whitehead, they returned to the office No. 1020 where the interrogation was continued with. Warrant Officer Maphophe joined them. At 12 midnight 20 Dr. Aggett was told to sleep on a campbed in the office. He woke up the next morning at about 6 a.m. Captain Visser and Captain Swanepoel then took over and he left. He saw Dr. Aggett again on Monday, the 1st February, 1982 in office No. 1020. On this day Dr. Aggett began to write another statement. He began to type the statement as Dr. Aggett was progressing. There was no interrogation. This went on until 3 p.m. The same procedure was followed on the 2nd and continued on the 3rd. On the 3rd Dr. Aggett was sent back to the cells because the staff had a 30 braaivleis. On the 4th they continued. At 3 p.m. he

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greeted Dr. Aggett and left to spend the weekend elsewhere. Dr. Aggett and Lieutenant Whitehead were still on the tenth floor. Dr. Aggett appeared to be normal. He never saw any mark on Dr. Aggett's forehead or any blood on him. Lieutenant Whitehead said that Dr. Aggett was hiding something from him. Sometimes the interrogation was interrupted and they had ordinary conversations. There were no problems between him and Dr. Aggett and he did not observe any between Dr. Aggett and Lieutenant Whitehead and Warrant Officer Carr. And the words "I am also an idealist" appearing in Dr. Aggett's written statement were not there when he typed the first pages of the statement and must have been written after he had typed same. Sergeant Blom visited Dr. Aggett during the morning of the 4th February. He was informed that Dr. Aggett complained of an assault. He was not present when Dr. Aggett made the statement about assaults. After Sergeant Blom had left, Lieutenant Whitehead came in and remarked to Dr. Aggett "is this the way you treat us now after we have been so good to you". Dr. Aggett did not respond. Dr. Aggett was not kept awake for the whole period, 28th January, 1982 to the 30th January, 1982. He knew where to find Dr. Aggett on the 25th January, 1982 because he was informed and did not search for him, nor did he ask anybody "waar is hy, waar is hy". Only the three of them were with Dr. Aggett on that day and he was not treated in the manner described by Mr. Smithers. There were no pre-arranged teams to interrogate Dr. Aggett on the 28th January, 1982. During the morning of the 29th January, Lieutenant Whitehead informed him "dat wyle Dr. Aggett besluit het om nou die volle waarheid te praat en

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dat hy die ding van sy hart wil kry". The interrogation that followed was not more intensive. The revelation was in the presence of Dr. Aggett who remarked "let's get finished with this". He introduced himself to Dr. Aggett as Warrant Officer de Bruin from Ladybrand on the 25th January and Dr. Aggett knew who he was.

Danvey Maphophe, a Warrant Officer in the South African Police and a member of the Security Branch testified. He made the affidavit, Exhibit CCC. On the 29th January, 1982 after 6 p.m. he was present when Dr. Aggett was 10 interrogated in office No. 1020 on the tenth floor by Lieutenant Whitehead and Warrant Officer de Bruin. The role he played was to make coffee and to accompany Dr. Aggett/toilet to the when necessary. During the questioning Dr. Aggett was seated. At about 10 p.m. he was left alone with Dr. Aggett, later Lieutenant Whitehead and Warrant Officer de Bruin returned with food and milk for Dr. Aggett. After this was consumed Dr. Aggett was left to sleep on the campbed in the office and he went home. He did not see handcuffs in the office. Nobody became angry. Dr. Aggett 20 was not handcuffed. He did not see a towel or machine mechanism with which Dr. Aggett could possibly have been shocked in the office.

Johannes Nicolaas Visser, a Major in the South African Police and member of the Security Branch at John Vorster Square testified. He made the affidavit, Exhibit YY. He interrogated Dr. Aggett on the 30th January, 1982 from 6 a.m. to 6 p.m. on the tenth floor, office No. 1020 (he thinks) John Vorster Square. Captain Swanepoel was with him. Certain facts were not explained to their satisfaction and they spent the best part of the day to win 30

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co-operation and goodwill. During the day Dr. Aggett was seated, allowed to walk around in the office, received food and liquids and appeared to be normal. He interrogated Mr. Ngwenya at the end of January, 1982. Mr. Ngwenya was not assaulted or ill-treated or threatened in his presence. Major Cronwright told him on Saturday morning, the 30th January, 1982, to question Dr. Aggett. The previous day he was told to report for special duty. Just before 6 p.m. Dr. Aggett indicated that he was prepared to come out with the whole story. Dr. Aggett appeared to be completely rested when he met him that morning. He did not request to have a shower or other clothes during the day. A great deal of the day was spent on ordinary conversation. At the end of the day Lieutenant Whitehead, Lieutenant Woensdrecht and Warrant Officer Deetlefs took over. 10

Daniel H. Swanepoel, a Captain in the South African Police and member of the Security Branch at Benoni testified. He made the affidavit Exhibit ZZ. On the 30th January, 1982, he was with Major Visser to interrogate Dr. Aggett. He corroborates the evidence given by Major Visser and further said in his presence Dr. Aggett was not assaulted or ill-treated. He saw him on one occasion only. At the beginning Dr. Aggett told them that he had nothing further to say. Major Cronwright told him that he would work during the weekend. He did go to the office of Lieutenant Pitout and told him that he had to work on Sunday from 6 a.m. to 6 p.m. but cannot recall that Pitout had something to do that Sunday morning and that he, Swanepoel, remarked "kyk ek glo nie hy sal so lank hou nie". He did not mention anything of that kind to Lieutenant Pitout. He surmised that Lieutenant Pitout was alone 20 30

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in the office. At that stage he had no idea that he would be involved in the interrogation of Dr. Aggett. He expected to be doing ordinary weekend duties. The shifts were arranged to ordinary weekend duties, not specially to interrogate Dr. Aggett. Dr. Aggett was satisfied to be kept on the tenth floor. During the period November, 1981 to February, 1982, they had to work overtime during weekends on various occasions. They had to do various types of security work such as checking files, clarification of facts, evaluation of information etc. When he spoke to Lieutenant Pitout, he did not know what kind of work Lieutenant Pitout had to do. 10

Nicolaas Johannes Deestlefs, a Warrant Officer in the South African Police and member of the Security Branch testified. He made the affidavit, Exhibit AAA. On Saturday, the 30th January, 1982, from 6 p.m. he assisted in the interrogation of Dr. Aggett. Lieutenant Whitehead, Lieutenant Woensdrecht were other members present. It was on the tenth floor in office No. 1020. They took over from Major Visser and Captain Swanepoel. Major Visser informed him that Dr. Aggett declared his readiness to tell the truth. Dr. Aggett was seated and had a paper and pen and he wrote as questions were asked. At 11 p.m. Dr. Aggett was allowed to sleep on the campbed in the office. They discussed the notes of Dr. Aggett. At 3.30 a.m. on the 31st January, 1982, Dr. Aggett was taken back to the cell and then they went off duty. When he joined Dr. Aggett he appeared to be relaxed, neat and comfortable. When he was told by Major Cronwright to report on duty he was not told that it had anything to do with Dr. Aggett. He did not know that Dr. Aggett was on the tenth floor for 48 20 30

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hours when he joined them. Dr. Aggett admitted to them that he agreed with the A.N.C. and that he tried to promote the aims of SATU. Dr. Aggett wrote on four pages that night, they are not prepared to divulge the contents. Dr. Aggett was not prepared to write certain information down because names were involved and he would not like to mention them should he be called to give evidence and he, Deetlefs, wrote down. Dr. Aggett mentioned that he would like to go back to the medical profession.

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Jacobus Petrus Woensdrecht, a Lieutenant in the South African Police and a member of the Security Branch testified. He made the affidavit, Exhibit BBB. On the 30th January, 1982, he was involved in the interrogation of Dr. Aggett in office No. 1020 on the tenth floor. This was the only occasion that he took part. On the particulars he corroborates the evidence of Warrant Officer Deetlefs and also stated he can suggest no reason why Dr. Aggett made allegations of assault against them. He is not an expert on Trade Unions but has some information on them. Major Cronwright told him on the Saturday, the 30th January, 1982 to assist him in interrogation of Dr. Aggett. That was after he had returned from special duties at the Westrand. When he and Lieutenant Whitehead took Dr. Aggett to the cell at 3.30 a.m. he did not appear to be exhausted or a broken man.

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James Andrew van Schalkwyk, a Detective Sergeant in the South African Railway Police testified. He made the affidavit, Exhibit EEE. On the 29th November, 1981 he began to assist the Security Police at John Vorster Square. On the 12th December, 1981, he and a colleague

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/ escorted ...

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escorted Dr. Aggett from Pretoria to John Vorster Square, Johannesburg. Since then he was present on occasions when Dr. Aggett was interrogated and partook in the questioning. Initially it took place in office No. 1012 on the tenth floor. He would ask him questions and Dr. Aggett would reply and make notes and later he compiled the statement. He went on leave on the 24th December, 1981 and returned on the 4th January, 1982. On this date he found Dr. Aggett in the office on his arrival. Since the 5th January, 1982, he did not see Dr. Aggett again. 10

He never assaulted Dr. Aggett and Dr. Aggett was not assaulted in his presence. He did not assault any of the other detainees and never witnessed any assault on them. Nobody became cross with Dr. Aggett in his presence. Major Cronwright told him of allegations of assault by Dr. Aggett. This could have been on the 25th January, 1982. He was involved in the interrogation of Mr. Nanabhai and Mr. Naidoo. He cannot remember an occasion when Dr. Aggett was on the tenth floor and there was someone screaming.

Mageza Eddie Chauke, a Detective Constable in the 20 South African Police and member of the Security Branch testified. He made the affidavit, Exhibit DDD. On occasion he went to fetch Dr. Aggett from the cells to the tenth floor. On one occasion he was present when Dr. Aggett was questioned by Lieutenant Whitehead and Sergeant van Schalkwyk. Dr. Aggett was never assaulted in his presence and he has no knowledge of any assault. He cannot recall the dates when he had something to do with Dr. Aggett. During February, 1982 he had nothing to do with Dr. Aggett. According to the cell register Lieutenant Makhoro signed for 30 Dr. Aggett on the 4th January, 1982.

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Desiré Carr, a Detective Warrant Officer in the South African Police and member of the Security Branch in Newcastle testified. He made the affidavit, Exhibit WW. On the 2nd December, 1981 he assisted at John Vorster Square. On the 25th January, 1982, he had to assist with the interrogation of Dr. Aggett for the first time. Warrant Officer de Bruin and Lieut. Whitehead were present. It was in the office of Lieutenant Woensdrecht. He was also present on the 26th, 27th, 28th January, 1982. Dr. Aggett kept notes during the questioning and prepared a formal statement. During the morning of the 29th January he saw Dr. Aggett and Warrant Officer de Bruin in the same office. He greeted them and left for Newcastle. He had no further part in the interrogation of Dr. Aggett but did perhaps see him on the 1st February, the following Monday. While he had something to do with Dr. Aggett he had enough to eat, drink, etc. He appeared to be normal and he never saw him walking with difficulty. Dr. Aggett was not assaulted or ill-treated in his presence, and he never noticed any signs of assaults. He never assaulted or threatened any of the other detainees. He saw Dr. Floyd on the tenth floor on the 4th February and told her that her statement was not satisfactory. Dr. Floyd insulted them and was sarcastic and he asked her to stand to discipline her, but when she told him that she was suffering from arthritis he allowed her to sit down again. He did not threaten her with five year imprisonment for withholding information. He did not see Mr. Ngwenya on the 25th January, 1982. Mr. Ngwenya was interrogated, he never assaulted him. Mr. Naidoo was not interrogated by him and he does not know where Mr. Naidoo was interrogated, he never saw him on his knees.

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On a Saturday he and Lieutenant Venter took Mr. Naidoo from the cells at Vereeniging and they had braaivleis. Mr. Naidoo is known to him and he was not involved in his interrogation, this was in the beginning of February, 1982, not during January 1982. He was involved in his interrogation but this was in the beginning of February, 1982 and not in January, 1982. On the 8th and 9th January, 1982, he was working at Kempton Park, but it is possible that he visited John Vorster Square. Mr. Nanabhai was not assaulted in his presence. On one occasion they took Mr. Nanabhai to the zoo for relaxation. Mr. Ngwenya must have heard his colleagues call him Des.

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Stephen Peter Whitehead, a Lieutenant in the South African Police and a member of the Security Branch at John Vorster Square testified. He made the affidavit, Exhibit FFF. His functions during the last three years were mainly to investigate the infiltration of certain elements into the Labour Organisations. He assisted in the interrogation of certain detainees. He had personal knowledge of and information on certain detainees.

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Dr. Aggett was one of them. On the 21st December, 1981 he was told to assist in the interrogation of Dr. Aggett. The others involved were Captain Naude and Sergeant van Schalkwyk. The first part of the interrogation was in the office of Lieutenant Mokhorro. During December 1981, he took part on the 21st, 22nd, 23rd, 24th, 28th, 29th and 30th. Over the last three days he was alone. His relationship with Dr. Aggett was good. Some of the questions were not answered by Dr. Aggett. On the 4th January, 1982 Dr. Aggett began to type the statement he had written during December, 1981. On this date he had very little

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to do with Dr. Aggett. He was attending to Dr. Floyd. The typed statement was completed on the 8th January, 1982. They were not satisfied with this statement. On the 25th January, 1982, he told Dr. Aggett that they were not satisfied with this statement, with his statement and he discussed the statement with him and told him to tell them the truth and to rewrite the statement. On the 28th at about 2 p.m. Dr. Aggett informed him that he has finished. Warrant Officer de Bruin assisted him from the 25th January. From time to time he left them on the 10 tenth floor to attend to work on the ground floor. On the 25th January he used the office of Lieutenant Woensdrecht. Dr. Aggett was in this office and not in No. 1012. He and Warrant Officers Carr and de Bruin studied the notes received from Dr. Aggett and compared them to the information available and noticed that Dr. Aggett did not tell the truth again. He continued -

"Ek is toe terug na die selle toe en ek het vir Dr. Aggett gesê ons het werklike inligting op hom en ek het hom met sekere feite gekonfronteer en ek het vir hom gesê wanneer gaan hy nou die waarheid praat. Hy het daarop aan my gesê hy besef nou dat ons weet meer as wat hy dink, hy sal nou sy volle samewerking gee. Ek het aan hom gesê is jy bereid dat ons jou nou verder ondervra. Hy het daarop gesê dat ons net sowel nou aangaan want hy moet dit een of ander tyd doen. Ons is daarop terug na die kantoor toe. Ek het vir die Majoor gesê Dr. Aggett is bereid om sy samewerking te gee en die Majoor het gesê goed dan kan julle voortgaan met die ondervraging."

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Dr. Aggett was taken back to the tenth floor. Lieutenant Whitehead went on to explain what happened from then until 3.30 a.m. on the 31st January, 1982. He corroborates the evidence of other police officers such as Lucas, de Bruin, Maphophe, Visser, Swanepoel, Woensdrecht and Deetlefs. and it is not necessary to repeat this part of his evidence in detail. He went on to say -

"Waarom was hy nie in die dag as julle klaar gewerk het teruggeneem na die selle nie? --- Edelagbare, Dr. Aggett was in 'n gemoedstoestand, in 'n stemming, hy het nou darem besluit hy gaan nou oop kaarte speel, hy gaan met ons saamwerk en terwyl hy so gevoel het ek besluit en vir hom met sy samewerking dat hy eerder daar wil bly. Die fasiliteite is daarso. Daar is mense pal by hom, dat hy sy storie nou klaar maak en hy was angstig ook om dit nou agter die rug te kry."

Major Cronwright was kept informed. On the 1st February, 1982 he handed the notes to Dr. Aggett and told him to prepare his second statement. Dr. Aggett began to work on the statement. This was continued with on the following days. Warrant Officer de Bruin typed the statement as they made progress. Acting on information given by Dr. Aggett they applied for a warrant to arrest other persons. A telex was prepared in the office where Dr. Aggett was sitting. When he noticed that Dr. Aggett was listening they went out of the office. This took place on the 4th February in the early morning. On this date after the telex was discussed Sergeant Blom arrived. He left the office and the Sergeant obtained a statement from Dr. Aggett. After the statement was obtained Sergeant Blom

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informed him of the allegations of assault. He went back to the office where Dr. Aggett was and remarked "is dit soos jy mense behandel wat vir jou goed was tot nou toe". He left the office and came back at about 3.15 p.m. and told Dr. Aggett to go back to the cells. His relationship with Dr. Aggett was in the circumstances a friendly one. He never assaulted or ill-treated Dr. Aggett. On a few occasions he questioned Dr. Floyd. The relationship between them was not good. He described it -

"Ek het probeer om met haar op dieselfde vriendelike basis te wees. 'n Groet van my sou nie 'n groet van haar uitgelok het nie. 'n Vraag van my sou aggressiwiteit van haar uitgelok het. Sy was net deur en deur aggressief teenoor my. Ek kon geen kommunikasie met haar opbou nie".

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She was not ordered to stand while he was in the office. In his affidavit, Exhibit FFF, he stated -

"Hierna was die notas weer deur myself en ander lede van die ondervragingsspan deeglik bestudeer. Ons het tot die gevolgtrekking gekom dat of Dr. Aggett ons nie die volle besonderhede van sy bedrywighede in die betrokke organisasies verskaf het, dat hy sekere inligting waaroor ons beskik het van ons weerhou. As gevolg hiervan het ons besluit dat Dr. Aggett nou meer intensief ondervra moet word en om die kontinuiteit van die ondervraging te behou het ek nie die nodigheid gesien om hom terug na die selle te neem nie en ook omdat daar behoorlike fasiliteite in die kantoor vir hom

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beskikbaar was om behoorlik te kan rus.

Dr. Aggett was heeltemal normaal en het gewoonweg sy ete genuttig, gerook en tee gedrink. Hy het geen beswaar geopper teen die feit dat hy in die kantoor moet slaap nie."

He explained further in evidence -

"U maak melding in u verklaring dat op daardie stadium was dit besluit dat Dr. Aggett nou meer intensief ondervra moet word, wat bedoel u daarmee? --- Edelagbare, wat ek daarby bedoel is dat tot op daardie stadium was die vrae wat ons aan Dr. Aggett gestel het baie vae tipe vrae. Ons wou dat Dr. Aggett uit sy eie uit vir ons vertel van sy bedrywighede. Ons wou kyk hoeveel waarheid vertel hy ons en hoe voel hy daarvoor, of hy vir ons lieg stories vertel. As 'n mens so 'n mens ondervra openbaar jy nie jou troefkaarte met die eerste slag nie en wat ek daar bedoel by die woord 'intensief' was ek het Dr. Aggett daar op daardie stadium, tot daartoe, baie vae vrae gevra. Ek het nie my troefkaarte openbaar nie en ek het toe daar besluit om hom, wat ek daar bedoel is om hom meer pertinent te ondervra. En hy het ook sy samewerking gegee om meer intensiewe antwoorde te gee."

He heard of the death of Dr. Aggett on the 5th February at 3 a.m. and thought of possible reasons for committing suicide. When Dr. Aggett expressed fears of possible prosecution he did mention to him that he would recommend that he be used as a State witness, that comforted Dr. Aggett.-

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He did not discuss allegations of assault with Dr. Aggett when they came to his notice in January, 1982. The allegations were not against him. There was no intention to stress or strain Dr. Aggett when he decided that Dr. Aggett 'nou meer intensief ondervra moet word'. There are facilities to wash on the tenth floor. He told Dr. Aggett that he could use the showers and the bathroom in the single quarters which are ten paces away from where they were. He watched Dr. Aggett over a period before his detention. He did not force Dr. Aggett to write something in his statement against his will. He did not know that that the Magistrate and the Inspector of Detainees wanted to see Dr. Aggett on the 4th and the 6th January, 1982. If he had contacted the Brigadier or the Major they would have been permitted to see Dr. Aggett. Dr. Aggett was interrogated in the office of Lieutenant Makhoro until the 8th January, 1982. From the 28th to the 30th January Dr. Aggett had six plus five plus three hours to sleep on the 10th Floor. He woke up on his own in the mornings and he would not have been prevented to sleep longer.

He explained at pages 2352/3 -

"Yes, now would you consider that having a person in detention under Section 6 and allowing him on your version to sleep only 14 out of 62 hours is a reasonable amount of rest? --- Edelagbare, soos dit aan my nou gestel word, 14 uur uit 62 uur, of dit redelik is sal ek sê nee, dit is nie redelik nie.

Maar wat ek vir die Hof wil byvoeg, soos ek nou-nou gesê het Dr. Aggett het elke oggend uit sy eie uit wakker geword en die enigste

/ keer ...

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keer wat ek hom wakker gemaak het was die
 dag toe ek hom teruggeneem het na die sel
 toe".

He cannot explain why Dr. Aggett complained he was kept
 awake. It is possible that Dr. Aggett would avenge the
 fact that people were to be arrested on information he
 had given. On the 4th February, 1982 Dr. Aggett appeared
 in the same mood as before. Dr. Aggett did not have a
 change of clothing in the period of 62 hours on the tenth
 floor. He did not have clean clothing available at the
 time. He, Whitehead, instructed that the attorney, Mr.
 Dave Dison, be phoned to bring clean clothing which
 arrived as far as he knows only on the 2nd February. If
 Dr. Aggett told him during the long weekend "I have had
 enough" he would have taken him back to the cell and gone
 on on the Monday. During the weekend that commenced on the
 3rd of March he and Sergeant Erasmus went down to Cape
 Town. Whilst in Cape Town they received information that
 Gavin Anderson, a suspect, might be in the house of Mr.
 and Mrs. Aggett. They decided to go under false pretences
 to this house to find out whether Anderson was there or
 not. They found a servant, Mrs. Sarah Isaacs, there. A
 recorder was used. He did not instruct Sergeant Erasmus
 to bribe Mrs. Isaacs but admit that it was attempted.

Dr. Floyd became aggressive when he questioned
 her about a certain document. He did not instruct Dr.
 Floyd to write certain information in her statement. He
 had no intention to interrogate Dr. Floyd and Dr. Aggett
 during the weekend commencing on the 5th February, 1982.
 He was not in charge of the interrogation of Dr. Floyd,
 he never told her she would stay there until she has

/ finished ...

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