

PROCEEDINGS IN TERMS OF SECTION 29

HELD AT
The logo for the South African Society of Accountants (SASA) is positioned behind the text. It features the letters 'SASA' in a large, stylized font. The 'S' and 'A' are connected, and the 'S' has a circular element. The 'A' has a vertical line through it. Below the letters, there is a horizontal bar with the text 'SOUTH AFRICAN SOCIETY OF ACCOUNTANTS' in a smaller font.
DURBAN

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ON RESUMPTION:

CHAIRMAN: Mr Fernandes, what are your full names?

MR FERNANDES: (Microphone not turned on - barely audible) Raymond Fernandes.

CHAIRMAN: Raymond Fernandes. I understand you've spoken to Mr Govender.

MR FERNANDES: Yes, this morning.

CHAIRMAN: This morning.

MR FERNANDES: I just reported here at 9 o'clock.

CHAIRMAN: Ja. We are running late. What we're doing to go is we're going to adjourn this inquiry because we're busy with another witness. Sorry to have brought you out here. Until when will we adjourn it? Tomorrow morning, 9.00am. 9.00am tomorrow morning and we'll deal with you during the course of the morning and then you can go after that.

MR FERNANDES: Yes, sir. Well, I'll be available tomorrow morning ... (inaudible) ... running a bit late. Should I be available in the afternoon.

CHAIRMAN: No.

MR FERNANDES: (Inaudible)

CHAIRMAN: Oh, yes. No, you'll go before lunch.

UNIDENTIFIED COMMISSIONER: If you can just explain that needs to - that he's actually warned in terms of the Act ... (inaudible)

CHAIRMAN: Ja. So we're now formally warning you in terms of the Act to appear tomorrow morning.

MR FERNANDES: Okay. I've got nothing to hide, Sir.

I've been coming here at 9 o'clock and I was here now again, Sir.

CHAIRMAN: No, no, we apologise ... (intervention)

/MR FERNANDES:

MR FERNANDES: I'll be here at 9 o'clock tomorrow morning, I'll be here again. Thank you very much.

CHAIRMAN: Thanks.

(Recording interrupted)

CHAIRMAN: Thanks, Mr Bennetts, you're still under oath.

FRANK SANDY BENNETTS (Warned still under oath)

CHAIRMAN: I'm not quite - where did we leave off? You were taking about - we'd just gone through the askaris.

MR GOVENDER: Ja, Mr Bennetts, you had given us the names of the people that were askaris that were living on the farm. You can't remember the sixth name but you said he's deceased since. --- Ja.

Okay. Now, these askaris, Mr Bennetts, lived permanently on the farm. Is that correct? --- I supposed you could call it permanently, yes.

They had living quarters on the farm. --- Yes, that is correct.

You also had living quarters on the farm. --- Yes, that's correct.

When we say that they were living permanently, they had opportunity to leave whenever they wanted. Is that correct? --- Not whenever they wanted, no.

When did they leave? --- They were given time off.

They were given time off? --- Mmm.

And how often were they given time off? --- A couple of days a month.

A couple of days a month. And that they spent outside the farm if they wanted to? --- Ja.

/Okay.

Okay. Now, these askaris you say were all ex-MK members? --- That is correct, yes.

And when did you first meet these askaris? ---
When I reported for duty on the farm.

They were already on the farm? --- Most of them, ja.

Most of them. Who came after you joined the farm? --- One chap who came from Vlakplaas. I think I said his name was Ben.

Ben. Now, you mentioned Vlakplaas. Do you know Eugene de Kok? --- I've met him.

You've met him. Where did you meet him? ---
On this farm.

On this farm. How often did he come to this farm? --- Once that I know of.

Sorry, once? --- Once that I know of, yes.
Sorry, this thing's like echoing in my ears here.

DISCUSSION ENSUES WITH REGARD TO MICROPHONE

Now, you know that you Eugene de Kok was head of the Vlakplaas unit? --- Yes, I do know that.

Did anybody else from the Vlakplaas unit come to the farm besides Eugene de Kok? --- I'm not sure.

It's possible.

It's possible. When you say it's possible, explain? --- I also had occasion when I was off. I also had occasions when I was away. There could have been visits in my absence.

In your absence. --- Ja.

But are their incidents where people came to the farm and you couldn't recognise who they were or where they're from? --- Ja, there were.

/There

There were. So they possibly could be from Vlakplaas? --- Possibly, yes.

I see.

UNIDENTIFIED COMMISSIONER: Can I just intervene here, Mr Govender ... (inaudible)

MR GOVENDER: Okay.

UNIDENTIFIED COMMISSIONER: There would have been no reason for the presence of Vlakplaas people to be hidden from you. You were part of the unit. --- Yes and no, Sir. All the activities were not made known to me. I was simply entrusted with looking after the farm and the askaris and that sort of thing, specifically after hours, running around. I was just basically just doing admin there more than anything.

So you personally weren't involved in any of the operations that were executed from the farm? --- No.

So are you saying that if people from Vlakplaas did come there and they were engaged in some operation or other, they might not have - you might not have known about that? --- I don't believe that very many of the people from Vlakplaas did visit the farm.

I believe it was Eugene de Kok and maybe one or two others and that would have been it. Colonel Taylor was very, very adamant even with our superiors as to who would be permitted on the farm and who would not.

Who were those one or two others that you refer to? --- Man, I seem to - there was another chap who visited. Who he was, I don't know. On an occasion. Access to the farm was in fact very, very, very limited. Meetings and operations and that sort of

thing, as you talk about now, with involvement from the other side,

/from from Jo'burg side or anything. Those meetings would have taken place off of the farm not on the farm.

Now, Eugene de Kok was part of C1 and C2 as well ... (intervention) --- That is correct.

... but from that area? --- From that area, yes, Sir.

Who else from his unit or other C1 people would you have been involved with? --- I visited Vlakplaas on one occasion. That was also only after its existence had become common knowledge, had been advertised in the news. I met up with some of the guys there. I was also involved with some of the intelligence guys that I met up in Pretoria or East or West Rand. I don't know. I don't know that area.

Who were these people? --- I've got no idea. I was - I accompanied Colonel Taylor up there.

You don't know their names? --- We drove to some house, some farm, somewhere. I can tell you there was a swimming pool at the back and that's it.

Who was Wasserman? --- Lorry Wasserman?

I don't know. --- Ja, it's Lorry Wasserman. It can only be Lorry Wasserman. He was stationed at C Section at C R Swart Square.

What was he responsible for and what was your involvement with him? --- He worked with two other officers, Hentie, Hentie Botha, Captain Hentie Botha and Lieutenant Sam du Preez.

Sam did you say? --- Sam du Preez, yes. Exactly what they did, I can't tell you. We were not

made privy to that information.

Where's Hentie Botha now? --- I have no idea,
/Sir.

Sir.

No idea. And du Preez? --- Du Preez I believe is currently - he's also out of the police force. He's working with his wife somewhere here in Durban with the printing business.

Are you aware that he's been charged with murder?

--- No, I'm not, Sir.

(Inaudible) --- Sam du Preez. I don't know that, Sir.

Okay. So other than that which other C1 or C2 operatives did you have dealings with? --- I suppose I can just try and name the guys that were down here at C R Swart at the best. Who's now Colonel Cloete. Hennie, I think it's Hennie Cloete. Tjaard Fourie who I believe is now your witness protector, if I'm not mistaken, which is ironic in a way but anyway.

Let me think who else was there at C Section, sjoe. Fernandes that was here just now. Sean Fourie, the same one from Chesterville. Capie. Capie - surname is Niemand. He's now warrant-officer. I'm not sure of his first name. I cannot recall it but known as Capie. I think those might even be his initials as K P. Or he was from the Cape and he was called Capie, I'm not sure. Hang, who else was there? Chris de Jager, Piet Nel, also an explosives expert. Sorry, I'm just trying to picture who sat where in the office.

Take your time. There's no rush. You said Fernandes was an explosives expert? --- Ja, still

is I think, ja. Piet Nel ... (inaudible) ... trying to think of change, man. There was a bit of a change-over. Oh, there was a Michael Engelbrecht. In fact he never

/worked worked outside. He was an admin boytjie and he ran a our own little internal computer data base thing on all these guys that had left the country. Hell, at one stage there was a female there by the name of Jolanda, surname I can't remember. I think I've just about touched on most of the whites. Then there was quite a few blacks there as well. Budgie van der Berg, as I say, Bernard was there with us in the beginning until he went over and did his training and moved downstairs. Seal Witherall was a chap that was with us there. He came from Eshowe to us here and he's currently at Port Shepstone in the branch. Colonel Wearing, like I say, was there for a while.

Who took over from Colonel Wearing? ---

Colonel Cloete. The same Hennie Cloete.

Hennie Cloete. And after that? --- I don't know. I'm not there any more.

The unit - before we move on, let's just - you said it's kind of ironic that Tjaard Fourie's working for us. What's ironic about that? --- Most of your guys who come forward and testify here from the SAP side or from the security branch side are going to be known to this guy and you've got them working for you guys. I mean, look at the stuff I've been involved in. Why not appoint me as an investigator here? I mean, it's the same thing.

Are you saying that his hands are pretty dirty?

--- No, I'm not saying that, Sir, but I'm saying they're not pretty clean either.

Well, what can you tell us about him? Let's not be shy now. --- What can I tell you. He wouldn't have

/been been there and he wouldn't have been involved as he was - he wasn't aware of quite a bit of what was going on. He and Colonel Cloete, for example, came over from the railway police to the SAP together. He was, I understand, as rumour has it as some stage Colonel Cloete's station commander when they were in the railway police as youngsters together. Okay, with all - Colonel Cloete eventually overtook him in rank and became his boss. He carried dockets. He was involved in questionings. He was involved in interrogations.

Would those have involved assaults or tortures or things that you've described to us? --- It wasn't necessary to torture section 29 detainees, man. From our point of view it wasn't necessary. We weren't dealing with the extreme top structures in the ANC. Chuck a okie in the cell and leave him alone for six months I promise you, he'll talk. That's the bottom line. That's what section 29 was all about, man. I put it to you this way. I put you in a cell. All right. You have nothing but your blanket and that to sleep on. A uniformed policeman is going to visit you every half an hour through the day and through the night. You're not going to sleep so well. Wake you up. You will get out of bed and tell him you are okay. Get back into bed and go back to sleep. I'm

investigating a case and I'm questioning you and you are my detainee. I come down to you in the cells on a Friday afternoon. Say, "Are you prepared to co-operate?" "No." "Okay, when you are ready, tell them to call me. I am Frank Bennetts." Don't see you for two months. At some state you're going to ask to speak to me and then you just start to

/play
play head game with the guy. This is what is was all about. You didn't have to beat the oke up. It was a head game. Oh, you want something to read. Okay. Well, talk to us. There's a magazine. We'll leave you some magazines. Bullshit us, we take the magazines away again. The more he co-operates the more lenient you get with him. Start to loan him a couple of cigarettes and some tobacco. Give him matches. Wet them before you give them to him. So he'll sit there with a cigarette he's dying for two months and he can't light the thing. And the guys in the cells are not allowed to give the oke a thing, nothing, without our say so, or the inspector of detainees or the district surgeons medication and that was it. There was no reason to interrogate section 29 people, man.

So you looked after quite a number of section 29-ers? --- I did yes.

And what was your contact with the district surgeons in relation to section 29-ers. --- Well, back to my days at uniformed branch, I spent about eight months sitting in the cell block at C R Swart Square looking after them. They were kept apart from the other prisoners. They were written in separate

registers to the other prisoners and, like I say, they were visited on a regular basis. They were woken up.

Medication wasn't given to them to take. It was given to them to swallow and you made sure they swallowed it and you made an OB entry to that effect.

That would be you as a uniformed branch person?

--- That was me as a uniformed branch policeman sitting in the cell block there in the passage.

/So you'd

So you'd force the person to take the medicine even if they didn't want it? --- No, if they didn't want it, he didn't have to take it. I never forced him to take it. Then there was just an OB entry made, he's refused his medication. He wasn't forced to take it but it wasn't going to be handed to him to walk away in to the cell with our of fear that he would then stockpile the stuff and do himself in on a whole dose of it.

The question I asked you was what was the relationship between the district surgeons and the security branch? --- As far as I were aware they did their job but I think their hands were also tied by legislation.

And if the security branch - let's say you did actually assault somebody as occasionally you said, you were picking up somebody and then you wanted to send him into custody after you'd given him a few slaps or you'd tubed him or whatever, or someone else had. The person goes to the uniformed branch now to be arrested and to cells and then off to court the next day. Normal practice. --- Normal practice, ja.

And what would happen about his injuries? ---

As a section 29 or as a normal practice?

No, I'm saying a normal prisoner and then we'll talk about section 29. --- Normal prisoner, the charge office sergeant would not his injuries in the OB. Ask him if he had any complaints or injuries before he detained him.

He wouldn't refer the person to the district surgeon? --- If it was necessary, he would, yes.

When would it be necessary? --- If the guy

/requested

requested to see a doctor or if he obviously required medical treatment.

What if you didn't want his injuries to be seen?

--- Don't detain him in the first place.

Well, what would you do with him then? ---

Good question. Good question. You've got two options. You either don't detain him or you've got to come up with some sort of reasonable explanation as to why he's got those injuries. Falling down, standing up, running away.

The point I'm getting to is would you not have detained him at your unit? Not necessarily made a note of the person for a day or two until his bruises had gone away? --- Oh. Ja, that occurred, yes. Yes, that did occur. I thought you were talking now, sorry, the procedure of putting the guy through the books with injuries.

I'm just - it's ... (intervention) --- Ja, in so far as section 29 went, there were a lot of guys that didn't get through the books. They were kept on a farm. They were kept away from the cell block. The

askaris that worked with us, those guys went nowhere through the books. There was nowhere that those guys were ever detained.

Now, let's go back to section 29. You obviously carried some dockets that related to people that were detained under section 29. Is that correct? --- I didn't carry them personally but I assisted with them, yes.

And obviously it wasn't always necessary, as you've told us, to assault a person or interrogate them or

/whatever

whatever the case might be, but there were obviously other occasions where it was necessary. --- I understand there were such occasions, ja.

The reason I'm saying that is we've had evidence in our public hearings where people who were detained under section 29 have spoken about their assault and their torture and so on. Tubing, electric treatment, the ice blocks specifically one guy mentioned. How would those people receive medical attention or would they not receive medical attention? --- I believe that they would. I believe, if he was detained and he was through the books, he would. I don't know of an incident here in Durban specifically was the only place I was involved with it where they actually had the district surgeon in their pockets that he would come along and come and give some sort of sob story or not note the injuries or things like that. Honestly I don't know of such an incident. But, from what I've heard, obviously these things occurred. This is why you had okes hang themselves in cells, so say, and all

the rest of it.

Some people like to brag about those kind of incidents. Have a few whiskies or a couple of brandies and they talk about all their exploits. It's common practice in any group of people that work together. What sort of things did you hear about in that regard? --- With the section 29?

Well, in general terms. People that might have died in custody or been killed in custody. --- In general terms I've heard there's been a couple that were never ever reported.

Can you give us any details on that? --- No,
/Sir.

Sir.

Where? When? Who? --- Who is difficult. When - it was just - what you hear is basically general comment. It's like you say. Unfortunately that is the fall-down of the white man is that he can't keep his mouth shut in a bar and that is the truth. It's difficult. In conversation like that - ja, the guy - people have got a tendency to say that and a specific incident may have occurred without giving details of who or where or why but "I was there and I saw it", but then that's where it stops.

Okay. So you can't really tell us anything about that? --- I've got no personal knowledge of anything like that, no, Sir. Not even hearsay knowledge of anything like that besides the normal newspaper reports about the okes that hung themselves in cells and jumped out of windows and fallen downstairs and things.

So in your experience would you say that most of

those allegations of people committing suicide weren't in fact suicides? --- Well, look, in my own experience from the time - at the time that I looked after guys when I was in uniformed branch until the time I was at security branch and dealt with them, no, I don't believe they were suicides. I honestly don't believe they were suicides because no fool would have allowed them to get hold of those sort of things in the cell blocks for a start.

And normal practice was that they wouldn't have had access to them anyway. --- No, they would not have. I mean the normal practice even in a normal prison you'd take his belt and shoelaces away from him. All right,

/ja, we've ja, we've had incidents where the guys have torn up a blanket. I've had ~~an incident where~~ the guys escaped from me by tearing up a blanket and lassoing the top of the bars.

Okay. Let's take you back now to the farm. Was this the only farm of its kind or were there other farms of a similar nature? --- Of its kind or similar nature, the only one in Natal that I know of. Other farms? Yes, certainly, there were numerous other farms.

Was there not a similar farm in the Tongaat area? --- There was a farm in the Tongaat area, yes. Similar? The askaris didn't operate from it.

Who operated from it? --- Hentie Botha, Warie Wasserman, Sam du Preez.

So that's C1 unit? --- They operated from that farm, ja.

Where was that farm? --- Sir, I could not tell you. I was there once and I was out of there again. Once and once only. I know it was Tongaat area and I know it was rented from [REDACTED]

Who was the nominal renter as far as you know?

--- Don't know.

Who was head of that unit? --- At that time Hentie Botha and all of us all still were at C Section under Colonel Taylor so I presume it would have been - was Colonel Taylor.

So that farm was a sugar farm, was it? --- A sugar farm? Ja, I presume - they were growing sugar cane there, ja.

You saw sugar cane on it? --- Ja, it was one of [REDACTED] houses on their major farms up there. Tongaat

[REDACTED] / [REDACTED]
[REDACTED].
And it was somewhere near Tongaat? --- Ja, I think so, Sir.

Which road did you take to get there? Can you remember? --- I seem to recall out this way past the Natal Sharks Board way, somewhere out that way.

On that highway? --- Ja.

In those days there wouldn't have been that big double highway that far up. --- No, there wasn't.

It was up past the old Mount Edgecombe police station which is now some security company.

Okay. Let's go back to the farm. Over to you, Mr Govender.

MR GOVENDER: Mr Bennetts, you said that de Kok,

Eugene de Kok, visited the farm on one occasion that you're aware of. --- Yes, Sir.

Is that correct? --- Yes, Sir.

Were you present when he came on the farm? ---

I was introduced to him in the office.

In the office. By who? --- By Colonel Taylor.

By Colonel Taylor as Eugene de Kok? --- As Major de Kok from Vlakplaas.

Vlakplaas. And did you know of him then? ---

I'd heard of him. I'd never met him prior to that.

Okay. Do you know the purpose for which Eugene de Kok visited the farm? --- I've got no idea, Sir.


Was there a meeting held on that day that he arrived? --- Him and Colonel Taylor were in the office for a while, ja. 


For a while. --- I left.

You were not present? --- I was not present.

/I was

I was not there when he departed either.

Was anybody else present at that meeting besides Taylor and de Kok? --- And I think .

 --- I don't know how long he stayed there. Like I say, I left within about ten minutes.

Was there no indications at some later stage as to why Eugene de Kok had come to the farm? Did you by chance not get information through the grapevine or what? --- No idea, Sir.

You were not curious as to why he had come to the

farm? --- No, because there was a lot of close liaison work between him and Andy Taylor. There always had been.

Well, how often did they meet? --- I can't say how often they met but Andy Taylor was up in Pretoria on a regular basis. Who knows if Eugene de Kok was down here meeting him on a regular basis? I don't know.

But you did say that on some occasions you went to - on one occasion you went to Vlakplaas. You accompanied Andy Taylor, is that right? --- That's right.

Now, what was the purpose of that visit? --- I've got no idea.

When you got to Vlakplaas did you - was there a meeting held? --- Andy Taylor was in a meeting. Who he was with, I don't know.

You don't know. --- I don't know.

You had no - you were not part of that meeting? --- No, I was not part of that meeting.

So what was your task? Merely to drive him up or /just just to accompany him? --- No, he drove himself wherever he went. No matter how sober or pissed he was, no one drove him around.

So why did you go along? --- Instructed to go with and that was it. You got in the car and went with.

You were not informed of why - the reason as to ... (intervention) --- We were not even informed when we left where we were going to.

"We". Who else went with you? --- Myself -

myself and I think [REDACTED] went with me.

The two of you? --- The two of us and Colonel Andy Taylor, but I'm speaking under correction about whether [REDACTED] was there or not.

Do you remember when this was? What year? ---
'89/'90.

'89/'90? --- I wasn't on the farm for very long - about 18 months only. It was during the period I was on the farm.

I see. How long did you stay at Vlakplaas for?

--- We were there just in the afternoon and we left again and came back.

The same day? --- Same day.

You drove all the way back again? --- From there we went to Pretoria. We went to another place - that house I mentioned earlier.

What house? --- I don't know. East or West Rand. Some other group there - intelligence guys up top there.

Yes. --- We were there a while and drove back.

Were there meetings held at that place also?

--- There was a meeting there as well, yes.

/And you

And you don't know what the meetings were about?

--- I've got no idea, Sir.

Was Hentie Botha a part of that meeting? ---

No.

No? --- No.

He was in the same situation as you were? ---

What do you - no, no ... (intervention)

In the sense that you just went up and

accompanied ... (intervention)

UNIDENTIFIED COMMISSIONER: Sorry, he's talking about Hanton. --- I'm talking about Hanton, Larry Hanton.

MR GOVENDER: Larry Hanton. Sorry, I beg your pardon. Larry Hanton. --- Larry Hanton was more involved in the meetings and things than I was.

He was involved with the meetings? --- Ja.

I see. In both Vlakplaas and at this place in Pretoria? --- Yes, Sir.

I see. No indication was given to you by Larry Hanton at any stage what those meetings were about? --- No, Sir.

So to date you don't know what their discussions were about? --- To date I've got no idea what was discussed.

I see. Mr Bennetts, the ~~you~~ you said the askaris were permanently based on the farm. --- Yes, Sir.

Now, I want you to tell us what activities were conducted on the farm and from the farm. --- On the farm some reasonably good braais and piss-ups. From the farm on a day to day basis the askaris were sent out in groups with a policeman - with a black policeman - just to hang around bus ranks, taxi ranks, things like that

/to see to see if they could actually identify individuals - MK members - by total accident and it was actually quite successful.

So they were sent out on a day to day basis to scout around to identify ... (intervention) --- Just to hand around town, see if they could run into

anybody between here Durban - Durban and Pietermaritzburg.

And they were accompanied by policemen, you say?

--- By some of the black policemen, ja.

Were there black policemen on the farm also?

--- Yes.

Who were they? --- Spyker Myeza, Simon Makai and this other chap from Newcastle. I don't recall his name.

Apart from them was there anyone else, any other black policemen? --- No, they were the only black policemen.

So these were the only people that accompanied the askaris on their scouting trips, as it were? ---

Yes, that'S correct.

Did you ever accompany the askaris on this kind ... (Side A ends mid-sentence) (Side B commences mid-sentence) ... trips to. --- Durban and Pietermaritzburg mainly.

Durban and Pietermaritzburg. And you would accompany the askaris? --- No.

No. --- No, when they went on longer trips we would accompany them.

What are longer trips? --- Jozini. Go and stay up there for a whole week. South Coast, a week. This sort of thing.

/And you

And you would accompany them? --- On two occasions, ja.

Now, what was the purpose - when you accompanied them, what was your duty? What was your task? ---

All right. My duty as it was put out to me was,

first of all, that these guys were armed with, in the beginning, Makarov pistols. All right. That we were aware of, that we took care of and the rest of it. Our function specifically was, if we went into an area, for example, like Jozini, we travelled in separate vehicles, I would go and report - in fact I'd be expected by the branch commander of the security branch at Jozini. I would go report to his office, report our arrival, inform him that the guys were working in the area and my function straightforward was that if these guys, for example, ran into a road block or got picked up with firearms or ran into some sort of problem, was to "keer", to buy time until Colonel Taylor or the local guys could get there and get the thing sorted out so that nothing happened on paper. That was my primary function.

So you just purely made sure that everything was running okay. You reported to the ... (intervention)

--- That was the biggest thing. Make sure that these guys had food in their stomach, money in the pocket.

What happened if one of the askaris were able to identify somebody in those area? Who would they report to? --- To the black policeman immediately with him.

And who would he report to? --- He would not report. He would make a decision.

He would make a decision. --- He would make a /decision decision on the ground as to - depending on what this askari has told him whether they would pick the guy up or whether the askari would try and maintain a contact

with the guy, the idea being that if he was in in a group, to identify the other members of his cell. Who had come into the country. Try and establish what arms were being brought in for them, whether they had a cache or not, before any sort of action was taken.

Were you not consulted when those decisions were made? --- No, Sir.

Well, certainly, were you not the most senior officer or policeman in that group? --- No, inevitably the white oke was sitting with a rod at the dam, inevitably. They knew where to get hold of us. But you run into a guy at a bus rank, you can't run around looking for the white guy running the show to make a decision. These black policemen - the black policemen, Spyker Myeza, has been in the game a good couple of years. A hell of a lot longer than what I was. He was Andy ~~Taylor's~~ right-hand man with the blacks.

So he never reported to you any of these incidents or any of his decision? --- All - no, no. No, he was my senior - bottom line.

Was he your senior? --- Spyker Myeza was my senior.

He was a member of the special branch - the security branch, wasn't he? --- That is correct, yes, Sir.

Why was it necessary for you to go along on the long journeys? --- Specifically as I've said is if /these these guys picked up a problem at roadblock or something like that. When we travelled, we travelled pretty close to each other but in two separate

vehicles.

Yes. Why could ... (intervention) ---

Because you'd never know if you're driving up the coast here if suddenly the station commander at Stanger or Verulam SAP has decided to throw up a roadblock in the middle of the road and in drives a Kombi full of blacks with AKs or Makarovs or what have you in the Kombi. All right, then my function and my job them would be upon arrival is to tell this oke, no matter what rank he was, to take his members and get out of the way, we're going through. If he had a problem I then had - I was in possession of the means to contact Andy Taylor or one of the other senior officers to assist.

Why couldn't Spyker do that? Wasn't he closer to Andy Taylor than you were? Wasn't he senior? ---
Because - no, when Spyker went with these guys he inevitably did not carry his appointment certificate or anything with him. He went in as if he was an askari or a MK member himself.

So he had no identification on him? --- He had bugger all on him. Nothing.

And what was the obvious reason for that? ---

If they ran into somebody and they got frisked, it wouldn't be found.

So you were the back-up? --- I was the back-up and I was the liaison, if it became a problem. And the clean-up man, if necessary, afterwards or to ensure it got cleaned up, ja.

And the policemen that accompanied the askaris to

/Jozini

Jozini were Spyker and who else? The black policemen.

--- Simon Makai and this other guy from Newcastle.

All of them had been up there? Up different times or at the same ... (intervention) --- At different times. No, not at the same time.

And on each occasion when you went up did you do go alone or who accompanied you? --- I went myself as a white.

Yourself. --- It was only two occasions that I went out with the groups.

You drove up on your own? --- Drove up on my own.

In a separate vehicle? --- In a separate vehicle.

Okay. Apart from that type of activity was there any other activity from the farm - operations from the farm.

UNIDENTIFIED COMMISSIONER: No, just before you leave Jozini, where did you stay in Jozini? --- The security branch are separate from the police up there and they've got a couple of houses. The one has been converted into a single quarters type visitor's cottage type thing, was where the whites stayed when we went up.

Who was the head of the security branch up there? --- (Pause) Oh, that's a good question. His brother is a brigadier or something or a general that's just been charged with something as well.

It's not Schoon, is it? --- Schoon. I think it was Captain Schoon.

And were - the work of the askaris in that area, you said it was to identify members or suspected members /of MK or

of MK or the ANC, to track them and to try and expose what larger group they were part of, to arrest them. Were people ever killed, eliminated, taken out in those areas by askaris? --- I've heard of one incident, ja.

So that was also part of what could have been expected of them? --- Ja,

Askaris to ... (intervention) --- Yes.

UNIDENTIFIED COMMISSIONER: Tell us about that incident you've heard of. --- All right. I was on the farm and I heard that the guys had identified someone here in the Warwick Avenue bus rank. This is the same askari - the one that I said was stabbed at a later stage. For what reason, I'm not sure, but the askari shot the oke and killed him. It was covered up in that I heard later on, all right, ja, I heard later on that a hand-grenade had been planted in his possession, if I'm not mistaken - it was a hand-grenade or a firearm - was planted in his possession.

The guys from the branch out here in Durban were contacted from C Section. They attended the scene. A docket was opened. An inquest was held. It was written off that the chap had been shot by a policeman who identified him and he had pulled the firearm on the policeman, but that firearm was planted. It was a firearm, it wasn't a hand-grenade. It was a firearm.

Bearing in mind that all the askaris were policemen as well at some stage.

MR GOVENDER: The person who was killed, was he identified MK? --- I believe so, yes.

The askaris that - you've just mentioned that the askaris had become policemen. Or were they policemen

/before

before the became askaris, is that what you said?

--- No, I said the askaris became policemen.

Subsequently? --- Subsequently.

Which ones of them became policemen? --- All of them.

All of them? --- It was a gimmick, man, it was more than anything else. They were sent to police college for a couple of weeks, they came back and now they were policemen. They were given appointment certificate. They were given force numbers. They were paid salaries and the had medical and housing benefits and thereafter they now carried Z88s openly because the had appointment certificates and they were policemen.

Now, the ... (intervention) --- I'm talking about the group that was with me. I can't comment on how many of them in Pretoria and that.

Those people that went on the scouting trips, as it were, were given weapons? --- Yes, certainly.

And these weapons were given to them just for those missions or were these weapons that they kept permanently with them? --- They kept permanently in their possession.

These were the pistols you spoke about? --- Yes, Sir.

Were they given any other forms of weapons, any other guns besides that? --- Well, I'm not sure which ones you're referring to. They were - originally they carried Makarov pistols. Once they became policemen they carried Z88s.

Yes, they carried those things on a permanent

basis? --- On a permanent basis.

/When

When they went out on these missions to scout, were they given additional weapons? --- I'm not sure.

Well, you accompanied the people to Jozini. Were those askaris given ... (intervention) --- I've got no idea. When I left they were packed. What they packed, I don't know. They were supplied by Colonel Taylor and Larry Hanton.

They were supplied directly by Colonel Taylor?

--- Ja, and Larry Hanton.

You had nothing to do - handling of weapons or distributing weapons to the askaris? --- All I was involved with the askaris was checking their firearms - the Makarovs that were issued to them were kept in order, were kept clean, were kept oiled.

You would check that on a daily basis? --- I would check that, not on a daily basis, some regular.

Larry Hanton would also check it on most occasions.

You said earlier on that you were in charge of the askaris on the farm. --- No, I did not say that, Sir.

Well, what was your task? --- My task there - basically on the farm was I slept there most nights. On the occasions I didn't sleep there, Larry Hanton slept there. The idea being to keep members of the public at bay who happened to wander in there, be they Jehovah Witnesses or whatever.

So you were sort of a security to the farm? --- More than anything, ja.

As a security branch member you were used in the

capacity as a security guard? --- As a night watchman.

/As a night

As a night watchman. --- Except I was allowed to sleep on duty.

And the interaction that you had with the askaris, what was that interaction, if any, on the farms? --- I spent a lot of time chatting to them.

I was very curious as to circumstances, things like that, but very, very little came out.

Well, did they tell you anything about the operations that they were involved in? --- Very, very little.

Did the unit have meetings on a monthly, weekly, daily basis? --- Almost on a daily basis.

On a daily basis. What, in the mornings? --- In the mornings.

And those meetings were obviously chaired by Taylor. Is that correct? --- That is correct.

What was discussed at those meetings? --- I cannot tell you. The meetings were held in Zulu. I sat there like a plank.

They were held in Zulu? --- They spoke Zulu. Andy Taylor speaks a fluent, fluent Zulu.

What about the other members - the other white members of the unit? Were they not present? --- Myself and Hanton were present. None of the others were, no. Well, I mean, Colonel Vorster and them when they were there, yes.

And what happens in those circumstances? Can they speak and understand Zulu also? --- Larry Hanton does not speak or understand a word of it. I

think Vorster can and I think Basson can to a point.

So are you saying to us that you sat at these

/meetings

meetings on a daily basis but you ... (intervention)

--- I used to sit there for an hour in the morning and not understand a damn word of what went on.

Then what was the need for you to be there then if you couldn't understand what was being spoken of?

--- Afterwards - afterwards or during the course of the meeting, on occasion, Andy Taylor would ask one of us a question, try and clarify something and normally afterwards then the askaris would go off to go and do their daily task. We didn't have to follow them down if they were just coming to Durban or 'Maritzburg ranks.

But in all of those meetings did you not get the sense at least - you were there for many years - of what was actually being discussed? --- I cannot tell you, Sir, but what I can tell you is that as a - if I've got to understand the gist of what was happening in those meetings is that the guys were being given instructions by Colonel Taylor of what to do and Spyker Myeza specifically was giving feedback on what had occurred the previous day.

So operations were done on a daily basis? ---

Almost - ja, local ones on a daily basis.

So those meetings were confined to report back and instructions for ... (intervention) --- And instructions for today.

And you never got a sense of what those instructions were? --- I cannot tell you, Sir.

Were you involved in any of those operations that

were conducted from the farm? You yourself personally. --- Personally, I told you, just the two. One trip to Jozini and one trip to Newcastle.

/Apart

Apart from accompanying the askaris were you involved in any of those. --- Nothing. I once took number plates up to Larry Hanton, that was all.

You took number plates up to? --- Larry Hanton.

The purpose of that was? --- I've got no idea but I had a phone call in the middle of the night, frantic that he needed some false plates.

Where did you get those false plates from? ---

We had a large selection of them on hand.

Did you have these number plates on the farm?

--- Ja.

Were they manufactured on the farm or were they got from outside? --- No, you didn't have to. You can go to Casper's and buy number plates. They don't look for anything, for a logbook. You have to produce a logbook to buy number plates.

Do you know what they were used for? --- I believe so that he could get back safely.

This is Larry Hanton? What were they generally used for? --- Well, not one of our vehicles at the time ever had its genuine number plates on.

So all the vehicles - what vehicles were on the farm, Mr Bennetts? --- A VW Kombi, blue and white one. That was Andy Taylor's baby.

A blue and white one. --- A blue and white one. A cream coloured E20. A metallic gold and black Star Wagon. A blue Mazda 323. A Toyota double-cab,

2,2 double-cab with a sunroof. What else was there?

And there was some other red car. I don't know if it was a Toyota - an old Corona or something like that.

A real old scrap heap.

/And were

And were those vehicles registered to the Department or to the State? --- Yes, they were.

Were they? --- Except the red one.

Who was the red one registered to? --- To one of the black askaris.

You say it was a Toyota? --- I think it was a Toyota Corona.

Toyota Corolla. --- Corona. I think so.

And you say that none of those vehicles at any time carried their official registration plates? ---

Not once.

All of them travelled round with false number plates, in other words? --- Yes, Sir.

And that was done deliberately so, isn't that so?

--- Yes, Sir.

On whose instructions? --- Not even on instructions. It was just done.

What do you mean done? Who did that? --- We all did. Even when I was still here at C R Swart at security branch we drove round with false plates.

Even after this - damn, what was this thing at - even before the interim constitution there was the ...

(intervention)

Elections? --- No, no, no, long before that.

Long before that. There was instructions anyway that came out for us to all put the proper plates back on the cars.

Yes. So was it a standard practice amongst the security branch to have false plates? --- Ja, it was a common - ja, it was just a common practice.

UNIDENTIFIED COMMISSIONER: Sorry, Mr Govender, before

/you disappear
you disappear off the issue of this particular incident. You were asked to take number plates to Larry. Is it Hinton or Hanton? --- Hanton, H-A-N-T-O-N.

Okay, just to get that straight. But where did you take them to? Where was he? --- Giant's Castle. No, I'm lying to you, Bushmen's Neck. I think Bushmen's Neck Hotel, I met him.

And why did he need them to get back? --- I say I think he needed them to get back. I think they'd been up the Neck into Lesotho. I think.

In a vehicle? --- In a 4 by 4, ja.

You can't go up there in a 4 by 4? --- I don't know, Sir.

Well, I know. I've walked up there. --- Well, you can drive through the border post up there. There's a border post there.

There's no road up there. --- Well, I'm going back a few years. I don't know what it was like then. I've never been up there. I've been half-way up.

Anyway, I'm not going to argue with you about that? --- Where they went through and what they did, I don't know. I just know I was told to meet him there with number plates. I did that, I had a beer, turned round and drove back to Durban.

Just one other issue I want to pick up,

Mr Govender, before you proceed. You said you went on two trips, one to Jozini and one to Newcastle. ---

Yes, Sir.

Tell us about the Newcastle trip. --- Okay, the Newcastle trip actually ended up being a total abortion because one of the okes got sick and they never even

/arrived arrived there. So I spent some time helping to re-wire the one house up there - the one farmhouse we were on or we were trying to get going with.

A farmhouse up in Newcastle area? --- Yes, Sir.

Was that also a C1 or 2's Section farmhouse?

--- Yes, Sir.

Where was that? --- On the Dundee, I think it was the Dundee/Newcastle road. There's a lake or a hell of a big dam there. It's on the banks of the dam.

Normandene. Would it be that dam? --- No, I don't think so. It doesn't sound familiar. Actually I drove past there the other day and I looked at it. I was up there, you know, on my own business.

Is it on the main Ladysmith/Newcastle road? ---

No, no, no, the Dundee/Dannhauser/Newcastle road there going towards Sunset Rest Hotel, that way out.

Who was responsible for that farm? --- No one. It didn't operate as such at that point in time.

I think that Basson had just organised the thing. Just organised the lease on it. Nothing worked and I was up there helping do some - or I was doing some re-wiring and getting switches and lights and things

working on the farm, in the farmhouse itself.

You said "them". Who's "them"? You said you were helping them, in other words, Basson and someone else. --- No, no, helping the unit as such by doing the wiring as opposed to having to get an electrician in to do it.

Now, I just have a bit of a concern here. When you first said you went, you said you worked actually in Jozini and the South Coast, not Newcastle. Now recently /you said you said Jozini and Newcastle. So what happened on the South Coast that you were involved in? --- Nothing.

Well, in your earlier evidence you said to us that you went from Jozini and the South Coast ... (intervention) --- I could have been mistaken.

... those were the two trips you ... (intervention) --- I could have been mistaken by saying South Coast. I've done nothing. In the riot unit, I worked on the South Coast. Security branch, no. I worked mainly on the North Coast.

Okay, we'll come back to the riot unit and the South Coast. Maybe that's perhaps where it's all merging in your head in some way. Let's just carry on with the farm.

UNIDENTIFIED COMMISSIONER: Sorry, just before we leave the North Coast and Jozini. In the askaris' dealings up on the North Coast with the security branch, Captain Schoon, what contacts, if any, did they have with IFP people. Or in fact not only there, elsewhere. You know, other than - earlier on you mentioned that IFP linked group being the A-Team in

Chesterville. Now, we've heard, you know, testimony for days and days on end from people like Eugene de Kok about the links between the security branch and the IFP in several areas in Gauteng and the East Rand and evidence has been given down here in several trials relating to that sort of thing. What links were there that you know of or you are aware of between individuals within the IFP and the security branch? --- I can tell you - the only thing I can tell you is that on an occasion after having left the farm I ran into one of the askaris who was coming

/out of out of the Inkatha offices in Pietermaritzburg. I happened to be working past the door when he stepped out. That's it. That's all I can tell you.

UNIDENTIFIED COMMISSIONER: Which offices are those?

--- The Inkatha offices in Pietermaritzburg.

Ja, but where in Pietermaritzburg? There're a number offices that they use. Which offices were these? --- Well, I don't know. It's in a lane. It's in a little lane somewhere near Shuter and Shooter. I don't know 'Maritzburg very well. It was a little lane. Who else is down there? I think it's somewhere near Leslie Simon Dawson attorneys. Somewhere down that way.

That's Theatre Lane. --- Ja, that could be it. Can I just ... (intervention)

Just one other thing ... (intervention) --- One quick think, Sir, I've remembered. That trip that I went to Jozini, Colonel Taylor and Basson were with us as well. I remember now because I slept in the house with them.

MR GOVENDER: You said Taylor ... (intervention)

--- Taylor and Basson were also on that trip to Jozini.

MR LAINLAX: Okay, the question I wanted to ask you was, you went - on the times that you went with, you went to Jozini and to Newcastle. On the Jozini trip you were expected, you said. They knew you were coming. --- Yes, Sir.

Would your askaris have worked with local SB people in those areas? --- No. The askaris themselves, no.

Would they not have been briefed by local SB people to say, "Listen, these are the people that are more or less in this area. These are the sorts of people that

SAWA
/we're
we're worried about" or ... (intervention) --- No,
I think by the time they got there that stuff had already been put to Colonel Taylor and Colonel Taylor had already instructed them. They knew exactly what they were going. When we got there, they didn't even come and stay there with us. Where they stayed, I don't know. They'd organised accommodation elsewhere.

One of the parks or something.

In the parks? --- Ja, one of the National Parks places somewhere.

What? Ndumu? --- Ja. Well, Ndumu was a bit far away at that stage but, you know, we did - in the period we were there we did visit Ndumu. We went around Sibayi ... (intervention)

There was a camp at Mkuzi which is not far from there. --- Ja, I think it ... (intervention)

It's just below the pass. --- Well, one of the places I'm sure they would have stay at and then the black policeman himself only would have come in on - did come in - Spyker in that case - came in each morning, met with Andy Taylor, met with Schoon and left again.

What other special branch people from that area did your chaps work with that you know of? --- Schoon. There was another chap up there - I don't even remember his name - he was the Jozini explosives expert, a white guy. That's it. There wasn't many up there. I didn't even meet one of their blacks, I don't think, in the entire trip I was up there.

The SBs that worked up there were generally connected to Empangeni as their headquarters. --- Ja, I think Empangeni, ja. Yes, would have been.

/And ...

And ... (intervention) --- No, Jozini was headquarters on their own, man.

Did they have their own headquarters? --- Ja, Jozini had their own base and their own operations on their own with Schoon in charge.

So Schoon generally organised a place for them to stay. Would it have been a Parks Board place or would it have been a KwaZulu Bureau place? --- It would have been a KwaZulu - what do you call it?

Their version of Parks Board? --- Their version of Parks Board.

Bureau of Natural Resources, it's called. --- That's it, whatever it's call, I don't know, but it would have been one of their places.

So there was quite a lot of co-operation between

Schoon and the Bureau? --- Definitely. I mean, they had a holiday camp up there in the middle of the place, man.

When you say they had a holiday camp up there, explain to us. --- A beautiful holiday resort built specifically for use by the security branch members there in the middle of the nature reserve at Island Rock or Rocket Hut behind the sand dunes.

MR LYSTER: Near Kosi Bay? --- Past Kosi Bay. Right in the restricted area. If you know the area at all there. If you drive from Kosi Bay up or that time you used to reach a point on the beach where it was fenced with a guard. Well, try and go another 60, 80ks up and you start to get to it. It's just - you just - no - public cannot get to us, finished.

MR LAINLAX: Sorry, from Kosi Bay if you go 40ks up, /you're you're in Mozambique already, itself. So ... (intervention) --- It's not that far up.

... is it not from Cape Vidal that - or from one of the places further south? --- I don't know. I'd have to look at a map. Like I say, I've never holidayed up there.

Because the restricted area was near St Lucia, north towards Vidal. That was the restricted area. There was a missile range there. --- No, I'll tell you where this was. Was - access to it was around Sibayi, the east side of Lake Sibayi. So it was in that area.

That's quite far south. --- Ja, it's not that close to the border. It's quite a way down. When I say restricted I mean restricted in so far as it was a

nature reserve. It was - just below it about a couple
ks down the beach where a couple of people staying in
another little built place there, they were actually
studying these turtles.

We're talking about the same place that Mr Lyster
mentioned. --- I don't know.

Ja, I know the place quite well. There's a
turtle research station and just north of that is the
camp he's talking about.

Ja, it eventually became a holiday resort for the
general staff of the SAP. Ja ... (intervention)

So did you go there? --- Yes, I spent a
couple of nights there.

On this trip or on other occasions. --- No,
on this trip.

Who did you meet there? --- No, one. We took
keys from Jozini and went.

The KwaZulu Bureau had its own security
department. Are you aware of that? --- No, Sir.

They had their own security operatives that were
working in that area. --- As security branch
members? No.

No, they weren't security branch members, they
were security operatives that belonged to the Bureau.

Mostly ex-Rhodesians ... (intervention) --- No,
I'm not aware of that.

Surely you would have come across some of those
chaps. --- I'm not aware of that, no, Sir.

Carry on, Mr Govender.

MR GOVENDER: Mr Bennetts, the trip to Newcastle,
what was the purpose of that trip? --- Originally

it was to go up with the group of askaris as well.

That was the only trip or the first trip I would have gone by myself but I would have met Captain Basson up at Newcastle. Ja, I would have met him there.

Who were the askaris that accompanied you on that trip? --- It was then the black chap from Newcastle. I don't recall this guy's name. The one that came with Wouter Basson.

Just one? --- Him and the askaris.

Who was the askaris? --- Well, this is the thing, I can't recall because they didn't ever pitch. One of them got hell of a sick.

Nobody pitched? --- None of them pitched.

The trip never look place at all? --- No, I remained there and did some wiring work on the farmhouse and that was it. I was there a couple - a dy or two and /I returned.
I returned.

I see. Did you know what the purpose of the trip was? --- I've got not idea, Sir.

You were just to accompany them up to Newcastle?

--- I was just to accompany them up. They would have then - this black member would have reported then between them and to Wouter Basson.

You mentioned that Taylor and Schoon were in contact regularly. Is that correct? --- With Captain Schoon?

Yes, the head of the security branch in Jozini?

--- In Jozini?

Yes. --- Ja.

They were in constant contact? --- Constant but regular.

Well, you say "regular". How often did they meet or speak to each other? --- A couple of times on the telephone.

A week or what? --- Ja, I think - Colonel Taylor was in touch with the guys at all the branches at least once a week. At least. I'm talking about the branches in Natal now.

Now, Mr Bennetts, are you saying to us that you were a member of the security branch stationed on the farm. You were part of that unit and that all the operations that were planned, were planned by Taylor, discussed in Zulu and you didn't know the details of those operations. Is that what you're saying? ---

That is correct, Sir, yes.

I find that very difficult to accept, Mr Bennetts ... (intervention) --- Let me tell you this. What /you guys you guys don't understand is I wasn't brought in there as one of their super troopers. Okay, I was brought in there because I was one of the few people who was actually prepared to go and stay on the farm permanently, to sleep there.

Were you asked ... (intervention) --- I was single. I was not married at the time.

Yes. Well, prior to being on the farm, Mr Bennetts, you had been involved in very active investigation, if you want, of people who had left the country and returned and so forth ... (intervention)

--- Ja.

... in this thing. You'd been doing work in that regard. --- Yes.

You were then asked to go to the farm because you

volunteered to do so. --- Yes, Sir.

Why were you not used still in that process while on the farm? --- Doing investigation?

Well, doing things you were doing before you came on the farm. --- It did become our function. I was kept busy running around driving things between Durban and Pretoria, Durban and Pietermaritzburg.

So it would appear that your duties now were simply driving people around, making sure they were okay when they were taken to a certain area and a security to the farm. Is that all that your duties ... (intervention) --- That was it. That was it.

(Side B ends.) (Side B commences mid-sentence)

... well, did he request you come live on the farm? --- He did.

Personally? --- Ja, but not personally in so /far as far as he approached me.

That's as a result of you'd been working with him for a couple of years? --- Okay, ja, we'd been working for some time, okay. Then at a point obviously during the planning stage of getting the askari unit going in a Natal - I was not aware that this was in a planning stage - he spoke to most of the white members at C Section here in Durban and said they are looking for a farm, a new farm. We must keep our eyes open. Let him know if we come across something in our travels. And as time went by we became aware that they were going to establish this farm. Then we heard they had the farm and with that I offered to go and stay on the farm.

Were you asked? --- And it was some time

later. They had been going already a few months before he approached me and said and I still interested.

Andy Taylor approached you? --- Yes, Sir.

To come on the arm? --- Yes, Sir.

Did he explain to you what the farm was going to be used for? --- Only once I got there.

What did he tell you the farm was going to be used for? --- The farm was going to be used to base askaris on.

Yes, and what were the askaris going to be engaged in because this is, well, the first time you are coming in contact with the askaris ... (intervention) --- No, it was not the first time I was coming in contact with the askaris. We had been working with the askari unit from Vlakplaas in the past.

In the past. When in the past were you working with them? --- They used to come down to Durban on /a regular a regular basis.

And you in your capacity as a member of the riot unit or the security branch? --- As the security branch.

As security branch. What - tell us about that.

--- We basically became aware of when they were in the area or when they were expected and we were asked if we had any information of anything specific that we wanted checked out to pass it on to Colonel Taylor.

You'd pass - but did you work with the askaris yourself? --- No, not with them.

So you had no ... (intervention) --- I met -

again, they also came down with white guys the same way as we eventually stated to operate with them, with white guys, and we would meet with the white guys. We knew who the white guys were. Names and things I don't know at this state but we knew them. We knew them by sight. Larry Hanton was one of them that originally used to come down with the Vlakplaas group.

Yes. Anyone else that you remember? --- No.

You can't remember anyone? --- And we would often get out and go and have a couple of drinks with the guys and, you know, visit the canteen, the pub ... (inaudible)

Do you remember any of the askaris that came down from Vlakplaas? --- No, Sir. Never ever met them.

Did you meet any of the askaris that came down.

--- Never did.

So the only contact - or the only work that you did was report to Andy Taylor about information that you had that would assist the askaris? --- Ja, the contact

/we had we had was with the whites that accompanied, okay.

So you would pass that information on to them?

--- No, to Andy Taylor.

To Andy Taylor. --- But we would socialise with them.

So therefore - that your experiences now on the farm was somewhat different to that. Isn't that so?

--- Slightly different, yes.

Slightly. In the sense that you were now going to base yourself with askaris on the farm. ---

Yes, Sir.

And did Andy Taylor explain to you what the nature of that operation is going to be using askaris?

--- No, Sir.

He didn't explain to you? --- No, he did not.

Why not? --- Because it was presumed, I think, that we knew what the hell was going on.

So did you know what was going on? --- Well, I knew how they operated, ja, from Pretoria.

Yes. --- And it was presumed - I presumed at the time that he would be operating in the same way from here:

And your presumption was ... (intervention) --- It was a system that worked.

Your presumption about the operation is all they did was going around gathering information and identifying MKs cadres, is that correct? --- That is correct. At the time of going there, that is correct.

So your understanding of how askaris were used by the special branch was limited to that. Is that correct? --- That is correct, ja.

/So you

So you had no other knowledge about the deployment of askaris? --- Nothing.

You know there's a number of revelations have come out recently, that's in the public domain again, that askaris were used to assassinate and kill people.

People from Vlakplaas also. --- I've heard such rumours, ja.

You've heard some rumours. They were in the newspapers. --- I don't read newspapers.

Momasela. Have you heard of Momasela? ---

And did Andy Taylor explain to you what the nature of that operation is going to be using askaris?

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He didn't explain to you? --- No, he did not.

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/So you

So you had no other knowledge about the deployment of askaris? --- Nothing.

You know there's a number of revelations have come out recently, that's in the public domain again, that askaris were used to assassinate and kill people.

People from Vlakplaas also. --- I've heard such rumours, ja.

You've heard some rumours. They were in the newspapers. --- I don't read newspapers.

Momasela. Have you heard of Momasela? ---

No.

You haven't heard - from Vlakplaas, Eugene de Kok's unit? --- Momasela? No, I can't say I do.

It's an askari who has made a public revelations as to his activities in assassinations of political activists. --- I've got no idea.

You don't know about that? --- Don't know about it.

Well, let's put it to you this way ... (intervention) --- I don't even know about any of these Truth and Reconciliation Committee meetings. I know that Brian Mitchell is at the moment - I don't know if he's finished yet, with an amnesty application, and that's it. That's as far as it goes.

Well, put it this way. Do you know that it is now known that askaris were used to assassinate political activists? Do I know that now? No.

You don't know that? --- No, I don't know that.

You still believe that askaris were used purely for gathering information ... (intervention) --- No, I don't believe that either.

What do you believe? --- I believe that they /did assassinate did assassinate people.

You did. What makes you believe that? --- The incident here at the Warwick Avenue bus rank for one, is one of them. The second is they got paid whether the guy was - came out alive or not. If he was arrested or shot, the head price remained the same.

When did the incident take place, Mr Bennetts?

--- Sorry.

When did that incident take place? --- Which one? The Warwick Avenue?

The Warwick Avenue one, yes. --- I do not recall, Sir.

But that was some time in the middle of your career, isn't it? --- Ja, well, on the period that I was still on the farm, yes.

At that point in time you came to understand that askaris were used for much more than gathering information and identifying MK activists. Is that right? --- At that point in time, ja.

So you knew the askaris were deployed for more than you had believed in the past? --- No, well, I became aware that if they became threatened or their identity became threatened or the fact that they were working with us was to become known, they would assassinate the guy they'd walked into, ja.

No, but you've just agreed with me now, Mr Bennetts, that you knew after the incident in Warwick Avenue that askaris were used to assassinate and kill people. --- That is correct.

Right. So what I'm saying to you simply is that at that point in your career you realised that askaris were /being being used for more than gathering information and identifying MK cadres. Is that correct? --- At that point, yes.

At that point. --- Not when I started on the farm.

Yes. But at somewhere in the middle of career some time? --- Yes, that is correct.

So at that time you became curious as to the activities of the askaris. Isn't that so? --- No, I did not become curious of them, I became aware of them.

You became aware of them. You realised that they were being used for much more than what you thought they were being used for. --- That is correct. I presumed as much, ja.

Okay. But then you were still transporting these people around, weren't you? --- Yes, I was.

And did you ever - were there any incidences where you transported askaris to a certain area, like Jozini for example, and subsequently you became aware of the assassination or killing of an individual or people? You didn't? --- No, Sir.

No such information? --- There was only - like I say, when I took them as a group, there was only two occasions, the one to Newcastle where they never pitched, the other one to Jozini where Colonel Taylor was there and on a third occasion I was, so say, taking one of them to go and see a sangoma.

How long did you spend on the farm, Mr Bennetts?

--- Approximately about 18 months, I think.

In the 18 months you made three trips out with the

/askaris?

askaris? --- That is correct.

And the rest of the time you sat on the farm and collected the mail? --- Travelled to and from Durban, ja.

What did you do to and from Durban? --- Carried mail.

Carrying mail. That's all you did? --- Ja, you don't understand. Half the time, for the white guys it was just a piss-up or the ... (inaudible) ... braai and a piss-up most of the time.

Yes. But the security branch could have got anybody to receive their mail and transport it from Durban to 'Maritzburg. Do you agree with me? --- No.

Why not? --- Because Andy Taylor hired a post box at Thornville specifically for mail for the farm in his private or some business capacity that he had.

And he needed a man of your calibre to collect his mail? --- No, he needed a man of my calibre who could and did, for example, get rid of Jehovah Witnesses walking in on the farm, visiting. The local people, caring with neighbours, this sort of thing.

As a security personnel also? --- Sorry.

You acted as a security personnel also for the farm. You were a guard on the farm, in other words.

--- That is correct, yes.

Now, I'm asking you the question again. I find it hard to believe that a man of your calibre and experience would be utilised in this fashion. --- Well, who would you suggest they get? A garden boy?

I don't know, Mr Bennetts, I'm asking ...

/(intervention)

(intervention) --- Well, you see, this is what I'm saying to you now. You are under the - I don't know - I don't know what you see me as here. I'm not this great thing that you are making out here. I am not.

Mr Bennetts, I ... (intervention) --- Andy

Taylor also is not the type of person that will take someone off of the street and say, "Come in. We are going now to go and start assassinating people." He's not like that. I could see, yes, during the period I was there, I was possibly going to be cultivated to something at some stage.

Well, let me put it to you this way, Mr Bennetts.

What I'm saying to you simply is this that being on the farm for so long and being so close to these people, you may have come - you must have come across some sort of information that can assist us as to what was really happening with the deployment of those askaris --- Right. It's as I've said to you already. Those are the incidents that I'm aware of. One, I was so say taking a guy to see a sangoma.

Yes. --- The Jozini one, the Newcastle trip that fell through. All right. Neville himself, I told you, had planned to go back to Mozambique for head money. So, yes, I was aware that they were doing this sort of thing but specifics, no. Involved to the point where I was involved in the discussions, no. I left the farm I think before I got to that level.

Okay. You tell us what you heard. I'm not asking you for specifics. Tell us information that you've gathered through your own means while you were on the farm. --- Well, information that I've gathered and

/things
things that I now believe are two totally different things.

Well, then tell us about ... (intervention) ---

Again, what do I believe? Yes, I believe that these

guy were involved in assassinations. I do believe that. I believe they were involved in cross-border trips. I believe they were in Swaziland. Specifically Swaziland because Swaziland was run by the Natal office.

What now prompts you to believe that, Mr Bennetts, at this point in time? Is there certain things that happened on the farm that you ... (inaudible) ... made up? --- No, Andy Taylor, Larry Hanton, Lorry Wasserman, the whole lot of them ran around with false South African passports.

With false passports? --- Ja, what do you need a false passport for if you're just going out on holiday?

How did you know that? --- I've seen passports.

You've seen their passports? --- Yes, Sir.

Okay. Any other indications that something wasn't all that it seemed? --- Ja, the fact that the guys were running around with AK47 silencers which was unusual.

Who was running around with that? --- Lorry Wasserman.

Yes. --- Larry Hanton.

Yes. --- Andy Taylor ran round with a Star semi-automatic 9mm sub-machine gun.

With a silencer? --- Without a silencer.

Without a silencer? Where did he keep that?

--- Under the Kombi seat most of the time.

/Uh-huh.

Uh-huh. Yes, carry on. Anything else? ---

Ja, the fact that they were running around with

Makarovs. the fact that on occasion - oh, there's a nice one too that I'd almost forgotten about. On more than one occasion I'd seen when inspecting the Makarov pistols that this is not the pistol the oke had last week but I was quick enough and wide-awake enough to learn not to ask any questions. I mean you get to know - you're dealing with six or eight guys and you're checking their guns on a semi-regular basis and you suddenly pick up this one is more worn, that one is less worn. Definitely, definitely not the same gun he had last week.

And were those weapons - those weapons were not registered with the ... (intervention) --- No, they were not registered anywhere. Those were recovered at the arms caches.

I see. Okay. Anything else that you would point - points you in that direction? --- General conversation with the askaris.

Okay. Tell us ... (intervention) --- The little bits that they did let out.

Okay. Tell us about ... (intervention) --- Like Neville wanting to get out again because he felt that if he got back to Mozambique he could do some serious damage and earn some more money.

Yes, you mentioned that earlier on. He wanted to do a hit man. What did you mean by that? --- Neville mentioned to me on the one occasion - we'd both had a couple of drinks the evening and we were just sitting chatting there and he mentioned to me that he

/planned

planned - obviously he had those problems with trying

to get his wife citizenship and everything else and he mentioned to me that he planned to go back to Mozambique, so say to go and assassinate a couple of the ANC guys out there for which purpose he would then be paid when he got back but that Andy Taylor did not want him to go and he was considering running away there by himself.

Who would he get paid by? --- By the branch.

By the branch? --- Ja.

So these askaris - when he said that did you understood him to mean that is he did assassinations within the country he would also be paid for? --- Whether it was in the country, out of the country. If he caused - in other word, if he identified the man, first of all, and as a result of his identifying him the guy was either shot, killed or arrested, he got paid.

I see. --- The fact that the guy lived or died has no sort of bearing on how much he was paid. It was a fixed figure. I'm not sure what that was. A couple of thousand. Like I said, it would probably be about eight, ten thousand rand a shot or a time. It's wrong working there, sorry.

CHAIRMAN: Mr Bennetts, you said a few minutes ago that you didn't know that these people were being used to kill or eliminate other people but you had your suspicions and in the fact that somebody was killed in Warwick Avenue, etcetera, etcetera, and before lunch you said that you thought that the price per hit was eight to ten thousand rand. Now, you know, I don't know what you're getting at really. Before lunch - before you

/tell

tell us this, you are able to say to the closest couple of thousand rand what people were paid per hit.

After lunch you say - it's almost a mystery to you that these people were used to eliminate other people ... (intervention) --- No, again ... (intervention)

Please, don't - don't ... (intervention) ---
No, hang on. The way I understand the question to me is, "Did you know?" There's a difference between knowing something and suspecting something. Did I suspect it, yes. In fact I've just mentioned again the same figure of eight to ten thousand rand. I've just mentioned it again now before you asked me your question. The thing is did I know. There's a difference between knowing something as definite and suspecting it or something being mentioned in a conversation. That is the point I'm trying to make.

Well, if you suspected it, how on earth do you know how much they were paid per head? --- That is what I was told by Neville.

MR LYSTER: When did you last speak to Colonel Taylor? --- About two or three weeks ago.

What did you speak to him about? --- I ran into him in a street in Pietermaritzburg.

And what did you speak to him about? ---
Nothing. I said to him that I suspect I'm going to be subpoenaed here and he said to me, "Well, don't worry about it. Just refer them to head office", and we walked and went out separate ways. Oh, and I'm sorry, he said something else too. He said if I do need to get hold of him for any reason, I must do it through

his attorney, Christo Nel, here in Durban because he's not

/answering

answering his phone at home.

Do you know that he's been charged with murder?

--- I believe he's charged for that Griffiths Mxenge murder, yes.

Okay, you know that. --- I've seen that in the newspaper, ja.

Okay. And that you've just vaguely seen it in the newspaper. You don't know who else was charged with him? --- I don't know who else was charged with him.

No idea? Not the faintest idea? --- No idea.

Does Dirk Coetzee mean anything to you? --- I've seen the name, ja.

You haven't ... (intervention) --- I don't know if he's charged in that case.

He certainly is. You've just heard the name, Dirk Coetzee. You've never heard of him really? ---

Never met him, no.

No, not met him, but you haven't heard anything about him? --- No, occasionally I pick up a newspaper.

Joe Momasela? Never heard of him? --- Never heard that name mentioned, no.

Arnold Nofomela? Never heard of him? --- Nofomela, I've heard that name somewhere.

What is he? --- Nofomela - I think he was an askari, if I'm not mistaken. I don't know.

Tell me are you making application for amnesty?

--- No, Sir.

You're not? Definitely not? --- No, not at this stage, no.

All right, because if you are going to at some /stage stage you must be very, very careful of how you answer questions here in this hearing. I really would urge you not to make things up and leave things out because you think it suits you at this point in time. --- No, no, I don't believe I'm doing that.

MR LAINLAX: Can I just come in for a second. I just want to take you back to say someone like Neville who'd go into Mozambique and would be looking for his head money, as you put it. It's head money not hit money, is that correct? --- Head money, not hit money, no.

Head? --- Head.

Ja, as in head count, like a bounty ... (intervention) --- As in head count, ja. And as in not a dead head. I don't mean it like that either.

Per head? --- Ja, I mean, if I walked into the room and I identified three of you here as MK members, the three gentlemen sitting there at the table out of the group, I would get paid per identification. Whether the identification resulted in arrest or a kill, I would still get paid.

But it had to result in one of those? --- One of those.

Okay, now, how would Neville, coming back to South Africa, be able to - how would he prove that he's either killed three people or ... (intervention)

--- It would come out through the informer network. It would come out through the informer

network.

And if it didn't? --- Then he wouldn't get paid.

So it would have to be verified in some way?

--- Some way it would have to be verifiable, ja.

/Okay.

Okay. Now, I want to just take you back to the whole issue of the askaris. You were a security operative. Askaris are nothing new. They've been around for the last 15 years. It was pretty well known what purposes they were being used for and if you were a security operative, you would have known that. You wouldn't have had to guess it or surmise it or suspect it. It was common knowledge. --- From that point of view as common knowledge, ja. Common knowledge in that it was suspected but it was never ever discussed openly, no.

Listen, Mr Bennetts, I was a national serviceman. I knew about askaris just as an ordinary national serviceman. --- Well, if you go back right to - what are askaris in any event. They go right back to the north days.

No, but the point I'm trying to make is it was open knowledge within anybody involved in any of the security forces that the State used askaris who were turned members of the enemy ... (intervention) --- Of the enemy, that is correct, yes.

... and used them for a number of purposes, one of which was obviously recognition of their comrades, ex-comrades. The other one was the assassination of their ex-comrades and the third was the re-infiltration of the networks, correct? --- On one

and three I agree with you. On two I honestly did not know until a later stage and until discussions with Neville and them.

Ja. Now, let's go back to what took place on the farm and your involvement. You've said to us that you found it - that a person like Andy Taylor hand-picked

/you to you to come and live on the farm but it took a while for him to learn to trust you or whatever. He's not the sort of guy who just sommer lets you loose in his affairs? --- Ja, that is correct.

And ... (intervention) --- I can see what you ... (intervention)

... that's why you didn't get involved with him so soon and it took a while for you to rattle around doing not very much. --- That is correct.

Where I have a problem with that position of yours is this, is that you'd worked for Andy Taylor from the time you were in the riot unit. He knew who you were. --- Yes, that is correct, ja.

So it's not like you were an unknown quantity to him. He'd known you for over two or three years already by that time. --- I still honestly, Sir, don't believe that was enough time for him to grow to trust us. I honestly don't believe that. I think I was taken there and eventually why I was accepted to go to the farm is that the best that was available. Not the best that was required but the best that was available under the circumstances. Eventually I left the farm and I was replace by somebody else on there who I believe did a lot more than I did.

Why did you leave the farm? --- I chose to

come back to Durban. I was getting married. It was my choice to leave. It was going nowhere, man. That is the whole bottom line. I was sitting there, weekends ruined, nights ruined, doing this and nothing was ever coming of it. I was just sitting like the idiot, the clown, the skivvy, as I called myself.

/So you

So you felt you had no prospects? --- I felt I had no prospects there whatsoever. I was not being involved in what was going on. I was being overlooked. I didn't even had opportunities to go and start bloody studying, to do anything, man. I spent half my time fishing, hunting and poaching.

Okay. Let's move on then to some of the other affairs that relate to C Section and how it worked and your involvement in some of that. When you were still at C R Swart, you were still part of C Section, correct? --- Before or after the farm? Before?

Before the farm? --- Yes, Sir.

And at that time you would have had contact with people like Wasserman, people like Hentie Botha, du Preez? --- Ja, that's right.

And even at that stage Eugene de Kok was known to you. --- At that stage I knew of him, I did not know him.

You see, isn't it correct that you told Mr Singh that Eugene de Kok slept at C R Swart from time to time and you knew that? --- No, that is incorrect.

I did not say that.

Well, in the summary of what you've told him, that appears. Where would that have come from if you didn't tell him that? --- I've got no idea. I've

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Well, in the summary of what you've told him, that appears. Where would that have come from if you didn't tell him that? --- I've got no idea. I've

got no idea. I don't think I said the Eugene de Kok slept at C R Swart. I met Eugene de Kok only on the farm.

Was that the only time you ever met him? ---

I met him once on the farm. I believe he may have slept at the farm but that would have been occasions when I was not there.

/Why do

Why do you believe he would have slept at the farm? --- I say if he had have. If he had have - I'm sorry, it's if he had have slept at the farm it would have been on occasions when I was not there. I was also given my days off. Sometimes three or four days during the week to go home.

The point I'm trying to make is that Eugene de Kok, even at that time, was famous within your ranks.

--- Oh, yes, he was known.

I mean, he was like the main man. --- Ja, that is correct, ja.

And it was an honour to meet a guy like that at that time if you were in C Section. --- If I had have met him, yes, I'm sure it would have been.

Well, you did meet him. --- Only on the farm.

Yes, and it must have felt like an honour to you at that time. --- Yes, Sir, I would say so, yes.

So that if he'd been present on the farm on any other occasion, you would have wanted to know about it. It would have been something special for you guys. --- Ja, I would have liked to have known about it, ja.

So either he never ever came there again or you would have known about it. Isn't that correct? ---

No, not correct. Not correct. It would not have necessarily have been discussed with me. It would not necessarily have been mentioned to me.

But it would have been known. I mean, such a big guy, such an important man, such a powerful man, would have been known about. --- Probably known but not necessarily known by me. Again, I was not big. I was not important.

/Let us

Let us - in terms of C Section - there're a whole lot of activities that C Section were involved in, some of which related to arms and ammunition and explosives, things of that nature, correct? --- Correct, ja.

What can you tell us about that? --- Arms and ammunition and explosives?

Yes. --- Well, certain of the member of C Section were trained explosives experts.

Yes. --- We investigated - we were responsible for the dockets - the investigation of explosives, explosions, possession thereof, the results thereof.

So you would have found caches of explosives?

--- Yes, that is correct.

What would you do with those explosives? ---

The explosives guy would remove them.

Surely some of those caches were returned back or tampered with or doctored? We've heard evidence to that effect at hearings? --- Yes, I believe so, yes.

Tell us about that? --- Personal knowledge, I only think I know of one incident.

Elaborate please? When was that roughly? ---

It would have been before I went to the farm. In the office of Hentie Botha. Him, Wasserman, Sam du Preez - their office was basically right in the front as you approached the 15th floor where C Section was based.

Right. --- And they were busy opening up SPM limpet mines, I think it was. Ja, SPM limpet mines. Sam du Preez was, by the way, an explosives expert and so was Hentie Botha.

Carry on. --- All right. And I recall the incident quite vividly because Hentie Botha had the

/backing

backing plate and everything off of the limpet mine and he scratched like black tar, if you want to call it that, on the inside and he scratched into that with a screwdriver, "Die kaffir" and screwed it back together.

What had he done to it? --- No idea. Opened it up and scratched the words. What he was going with it, I don't know. Obviously the stuff was going to be doctored and put back again.

How would they doctor it? Surely ... (intervention) --- You wouldn't doctor the limpet mine itself. You would get doctored or make use of doctored detonators.

So you'd replace the detonator with one that was set to go off much faster or one what would get off ... (intervention) --- Or with no delay whatsoever.

Precisely. --- Ja, that is correct.

And that any explosive expert could do that literally. It's a simple question of making an

adjustment on the detonator. --- I think so. I don't know. I honestly don't know. I think those sort of things actually came from Vlakplaas. I don't think the local guys do play with them, not to that extent. But the explosive - I mean, the explosive is just - that's all it is, is explosive. Nothing happens to it without a detonator.

Precisely. But the point being that if he was going to write those words on the backing plate of a limpet mine, he would have know that it was going to be used and tampered with in some way. --- Yes, Sir.

And so would Du Preez for that matter. He was present. --- Ja, he was present.

/Who was

Who was the more senior of the two? --- The Captain. Botha. Hentie.

Did you ever hear of those particular limpet mines ever being subsequently used or detonated or people died as a result of that? --- I believe, but it was also again only rumour, that that cache was used with the guys who set an explosive off on the Phoenix railway line in which three of them were killed. But again I don't know. I just - it was rumour that - it was discussed amongst us in the office afterwards.

That was quite a well-known event. It was publicized all over the newspapers. --- Ja, it was.

It was quite a well-documented matter where the inquest docket was pretty well investigated. --- I don't know about the investigation, no.

I've seen that docket, by the way. --- Ja, I don't know. All I remember about the incident is that they found three left legs or something, that's how they knew it was three people. It was a serious amount of explosives used and there was bits and pieces of people picked up all over Phoenix later on.

Ja. Where would an instruction to do that to a limpet mine have come from, in your experience? ---

Only from two people and that would have been either Colonel Taylor or from Vlakplaas itself, Eugene de Kok.

You see, someone like De Kok gave evidence - in fact, one of his askaris, Joe Momasela, gave the major evidence to say that he had been handed similar limpet mines, grenades and matters of that order which were used in the East Rand and a whole lot of young activists blew themselves up on the East Rand in that way and, in

/that

that particular instance, the instructions to do that came directly from General Coetzee himself - was it Coetzee or Van der Merwe. Confused. Van der Merwe. And Van der Merwe gave evidence himself before this Commission that he had given that instruction. ---

Well, I don't know if it would have come directly from him.

He was the Commissioner of Police at that time.

--- Ja, that's correct. But I don't think he would have had - been bothering to phone people like Hentie Botha and Sam du Preez direct to give them these instructions. Their instructions would have come from either Colonel Taylor or from Vlakplaas.

So did Taylor answer to Vlakplaas? --- Taylor answered - yes and no. Taylor was actually the senior in rank as opposed to what Eugene de Kok was. He was Eugene de Kok's senior in rank but in running the operations Eugene de Kok had ... (Side A ends mid-sentence) (Side B commences mid-sentence)

... by and large. --- Ja, but what I'm saying is De Kok would not have been able to give Taylor an instruction. Taylor was his senior. It would have been a liaison more than anything - more than a physical instruction, the way I understood the workings and the mechanisms of it anyway. Hentie Botha and Andy Taylor had no time at all for each other. They actually hated each other but they were in a situation that they were working together and that is why I don't know if Andy Taylor would have given the direct instructions to Hentie Botha or whether Hentie Botha went so say over his head to Vlakplaas and did it direct. I don't know. /But something But something happened somewhere along the line that caused a major fall-out between Hentie Botha and Andy Taylor. Major to the point that they just - you couldn't even put them in a room together. What that was, I've got no idea. I don't even have a suspicion of what it was.

Okay. Let's go back to these limpet mines. What other incidents were there where limpet mine, arm caches, ammunition was all tampered with that you know about? --- Personally that I know about, no other, although we had been warned by Lorry Wasserman. Warned in so far as it was just in conversation. "If you pick up grenades, if you pick up anything and if

you decided to use the dets for something make sure you test them first".

Decide to use the what, sorry? --- Decide to use them for anything, make sure that you test the detonators first.

How would you test a detonator? --- Put it into something else and throw it - just the detonator on its own. For example, if you wanted to test a hand-grenade detonator you put it into a tequila shot glass, press it down and hold it down into the shot glass so that it's holding the handle shut then pull the pin out and throw it with the shot glass. That way you prevent yourself catching a lot of shrapnel in the hand if there's no delay on the thing. That was basically the discussion. In other words, what he was saying was, in a round about way, is, "The stuff is out there. Be careful what you play with if you pick it up, if you come across it."

What about the use of explosives in shotgun

/cartridges?

cartridges? --- Ja.

It's quite a well-known method used. --- That was a pretty well-known method used, yes. It was cortex(?). I believe they loaded a couple of lengths of cortex into a shotgun shell. (Inaudible) ... that was just distributed in general. But specifically ... (intervention) .

Who would have done that? --- Mainly the branch as well. The guys with access to cortex.

When you say mainly the branch would have that been your section, C Section? --- C Section, ja, I would say so.

When you were at the riot unit back in Chesterville and elsewhere on the South Coast, you would have come across shotgun cartridges that had been tampered with. --- I've come across the results of them. I haven't come across any with anything in it, no. When I say I've come across the results of it is when it takes a guys hand off at the wrist when he tries to fire that thing in a home-made shotgun.

So even from those days you knew about that kind of tactic being used? --- Ja, from the riot unit days, yes. As far as the - I know about the use of the cortex and stuff or an explosive - I learnt later on it was cortex - in a shotgun round, yes. And in fact, from what I recall, I think in conversation with the other guys at the unit, I think it was a ten cent coin that was put in on top of the shotgun round as well and then the little - the paper wad with the markings on when it was loaded just to give it that support in the field.

What about the loading or ordinary round with
/cortex
cortex or some other form of explosive? --- Don't know.

Stuff that might get used in an AK and blow up in that way. --- No. I haven't heard anything about that, no.

So besides that one incident of that limpet mine being used in Phoenix, you don't know of any other incident? --- Specifically, no. But I mean enough people got blown up while they were planting explosives to presume it was stuff that was tampered

with. I mean, look at it ... (intervention)

What other incidents do you know of where people got blown up that you heard about or knew of? ---

Well, hand-grenades. That was a common thing in the locations. It was okes throwing hand-grenades and ending up blowing themselves up. High explosives, hell, I don't know. I recall the Phoenix matter. I'd heard of other matters like on a national scale but nothing specific.

Nothing within your jurisdiction of operation?

--- No.

I want to take you back to the riot unit again, to Chesterville. We've heard evidence that Vlakplaas operated in Chesterville and operated with the A-Team.

Askaris worked with the A-Team. --- Personal knowledge of mine, no, I don't know. I seem to recall there was an incident I think in Road 16 where there was one hell of a shoot-out of some kind there in some shack and a whole lot of people got killed. Specifics ... (intervention)

That specific incident? --- ... on I don't

/know.

know. That we before my day in Chesterville.

Was it before your time? --- It was either before I got to Chesterville or after I had left, but I think it was before I got there.

But you would have heard about that incident.

--- I did hear about the incident, yes. At the time I did not know it was the askari involvement in it but I was aware of this attack on the shack in Road 16. I later on in the security branch - once I was in the security branch per se learnt that this was askari

involvement in this thing. In fact I think I remember reading something somewhere about a female askari involved in this thing who was from the Eastern Cape or something. I don't know. Why I've got that in my mind, I can't tell you.

Where would those askaris have come from? ---

Knowing what I know now I presume ... (intervention)

Involved in that Road 16 incident specifically?

--- I presume from Vlakplaas because the Natal thing was not operational at that stage. Obviously, it was only formed later on when I was at the unit itself.

The one thing that's striking about that particular incident is the huge amount of firepower that must have been used to wreak that kind of havoc.

--- I've seen the photo of the shack, or a photo of the shack and I reckon a good couple of hundred rounds were fired off there, ja.

I mean, the only people that would have had access to that kind of firepower would have been someone like Vlakplaas, would you agree? --- Well, like I say in those days, I think I mentioned earlier, you didn't have /that that many traditional firearms travelling around in the area. It was mainly home-mades that these guys were using on each other at that time.

That wouldn't have been a home-made firearm anyway. --- No, definitely not. So I would say, yes, whatever was involved in that sort of attack was supplied from high up somewhere. Or it was brought in, one of the two.

Okay, back to you, Mr Govender.

MR GOVENDER: Thank you. Mr Bennetts, you were a trusted member of the security branch, weren't you?

--- Trusted in so far as it was necessary, yes.

The other members of the security branch trusted you. --- No, I don't think anyone trusted anybody.

We worked with each other, ja.

Yes, in so far as your work was concerned? ---

Yes.

In so far as you were involved in operations of the nature that you believed was correct because you were at war. Is that correct? --- Operations as in what way?

You believed - as you said to us earlier on that you believed you were at war and you obviously sided with Inkatha and the A-Team and so forth? --- That is correct, yes. That is correct.

And in so far as that was concerned you were a trust band of people that trusted each other in terms of operations or what functions the security branch would perform from time to time. --- No.

You were not? --- We were not.

Why not? --- It's what I said to you. It's

/what

what I've been trying to say all along. To get to that level of trust you're going to have to be there for a lot more than three, four, five years.

What gives you that measure - what will give you that measure of trust by the rest of the people? What did you have to do in order to earn that trust? ---

I think just hang in there long enough without dropping anybody in the dwang.

And when you left the security branch did you

feel that you were trusted by the other people? ---

After leaving?

Yes. --- Definitely not.

Is there something that you did or something that you didn't do that you were not trusted? --- No, I think it was a big mistake to tell Andy Taylor that I wished to leave the farm.

From that point ... (intervention) --- I wasn't happy there. Ja, from that point of view.

At which point was that? --- I believe that was about the end of 1990. Some way somewhere through 1990.

1990? --- Ja.

It was about a year and a half that you had been on the farm? --- That is correct, ja.

But prior to that was there any reason for them not to trust you? --- There was no reason for them to trust me either.

Well, in the scheme of things you would be part and parcel of the operations that the unit would conduct from time to time. You would be trusted to carry out certain investigations or the nature that you explained earlier on, namely to identify terrorists, as you call

/them.

them. --- Ja, it was slowly growing to that stage, yes.

And you were trusted? --- Not altogether, but ja, I think the trust was - the trust was growing, put it that way. It was developing.

Your other buddies or your fellow colleagues in the branch had a certain amount of trust in you as

colleagues. --- Yes, I believe so, ja. On my own level, yes.

And from time to time you would socialise with some of these colleagues of yours. --- That is correct, yes.

And as you said earlier on the trait of a white man is that he can't keep his mouth shut when he gets drunk. --- That is correct, yes.

Now, did those - did that become apparent when you drank with many of your white colleagues? --- Yes and no.

Well, why yes and why no? --- Yes and no. Because specifics were never ever mentioned.

But certain operations and things that were done by other colleagues. --- No, let me put it this way, there were general comments possibly passed in so far as to the possibility of incidents having occurred. But not so much as specifics of an incident which occurred at a place at a time involving any person.

Well, of course, you probably would not get details of the operations but you would know largely of operation that had been performed by your colleagues. --- Ja.

Isn't that so? --- That is correct, ja.

/And in

And in that - or through that process which information did you come across that can be of assistance to us? --- That Wasserman, Hentie Botha and Sam du Preez were basically and regularly involved in some sort of cross-border operations into Swaziland.

Into Swaziland? --- Into Swaziland
specifically, ja.

You say regularly? --- Regularly.

When - how regular - how often is that regular if
you want to put it that way? --- Regularly at
least a good couple of days a month.

A month? --- Ja.

And what did they do? --- I cannot tell you
that, Sir. No idea.

You don't know. Do you know which other sections
of the security forces they were involved in these
cross-border raids with? --- No, I wouldn't put it
as cross-border raids.

Well, operations, you said. --- It was
travelling possibly - possibly under the auspices of
business or holiday. I don't know.

Possibly ... (intervention) --- To get
through.

Now, let's just pose possibly what were they
doing in these cross-border visits, if you want. ---

I would say in all probability, from what I'd heard,
the likelihood is that they were meeting informers for
a start and that they were placing at that level
already outside the country tampered with detonators.

Tampered with detonators. --- Ja.

And they were ... (intervention) --- You
know, those timing devices tampered with.

/Yes.

Yes. So they were placing these tampered devices
in other countries? --- Well, put it this way, if
you've got an informer high enough up their within
their logistics place who's prepared to replace the

stuff in the storeroom, why wait for it to get here and try and find it and dig it up to do it.

I see. --- Let it come through the channels already tampered with. This is the way - that's what we heard was possibly going on.

Now, did you hear this through casual discussion in a pub or ... (intervention) --- Just casual discussion in a pub. Nothing like that would ever be mentioned at work.

And when you heard this did you believe there was an element of truth in this or not? --- I would say so, ja. There was no reason to doubt it.

You see, the difficulty I have, Mr Bennetts, is at convenient times when you're asked appropriate questions you say you believe and the word "believe" seems to be a common word that you use. I'm having difficulty in understanding that belief. For instance, the tampering with the limpet mine that you've actually spoken to us about and you say that you believe it was tampered with. Now, Mr Bennetts, surely you - a man of your experience within the special branch would know what the activities of this unit is all about and you see a man sitting on his desk with a limpet mine and you want us to believe that you didn't know that that limpet mine was tampered with but that you ... (intervention) --- Well, the limpet mine itself ... (incomplete).

... that you believed that it was. --- The
/limpet
limpet mine itself was obviously tampered with.

Yes. --- I mean, here it had been taken apart and had stuff scratched into the explosive.

Yes, but did you know that it was being tampered with at that time? --- I could see it was being tampered with. It was happening in front of me.

So you saw them tampering with the limpet mine?

--- That is correct.

So it's not correct to say that you believe that they tampered with it. --- I believe that the detonator was tampered with. I did not see that.

Well, what did you see them tampering with? ---

The limpet mine itself.

What were they doing with it? --- Taking the back plate off, scratched writing into the explosives and screwed the back plate back on again.

Well, that's not necessarily tampering with it. They just took it - dismantled it and put it back together. The operative here is did they tamper with it? Did you know that they were tampering with it?

--- What does the word tampering mean?

Interfering with it. As explained, something done to it to compromise the length of time that it will detonate ... (intervention) --- Well, this is what I explained to you. The length of time would be regulated by the detonator not by the explosive device itself.

Yes, but did you know that that was being done to it? Did you know that at that time? --- To the limpet mine?

Yes. --- You cannot interfere with a limpet

/mine

mine to play with it ... (intervention)

With the detonator. --- The detonator itself, no, I did not know that.

Were they not interfering with the detonator at that time? --- Not at all.

Did you not see the detonator on the table? --- No, the detonators were in boxes, in tins.

In tins. But you saw them interfering - opening the limpet mine itself and scratching ... (intervention) --- The limpet mine itself, yes.

But you know - well, let's put it this way. Did you know that the branch was involved in recovering caches of arms that was identified to them by informers or whatever? --- Yes, I did.

And did you know what happened to those arms? --- Presumably destroyed but not all of them.

Presumably destroyed? --- Ja.

Now, in this instance - this limpet mine, did you know where it was got from? --- I did not know where it was coming from. I did not know where it was going to.

What make was it? --- A grey SPM limpet mine.

Which - what country of origin is it? --- Russian.

Russian. --- Or Eastern Bloc put it that way, ja.

Eastern Bloc. And you knew that when you saw it on the desk, isn't that so? --- Yes, I knew that.

Right. And then where did you think it came from? Were you told? --- Out of an arms cache.

Out of an arms cache? --- Ja.

/Did you

Did you know where that arms cache was? --- No, I did not know.

Did you not ask any of the ... (intervention)

--- No, I didn't ask such questions, no.

Now, how did you happen to come to that offices when they were doing this? --- I can't tell you. I went in there for some reason.

You can't tell me how you got into the offices?

--- The door was open. I walked in.

You just walked in? --- Ja.

So they were doing this while the door was open?

--- Yes, that's correct.

And this is in the unit's office itself? ---

On the 15th floor of C R Swart Square.

On the 15th floor. Okay, and anybody had access to that office? --- No, only members of C Section.

Yes, yes, I mean members of C Section. Any member of C Section had access to those offices. ---

Not access to it but we could have walked in if they were there, ja.

You could have walked in. And you would see them interfering ... (intervention) --- The door was open.

You would see them interfering with this mine?

--- That is correct, yes, Sir.

And in spite of all that you were not curious to find out what really was going on with ... (intervention) --- Of course I was curious but I knew better than to ask questions.

You never asked anybody those things? --- I didn't ask anything.

/MR LAINLAX:

MR LAINLAX: Mr Bennetts, let's not beat around the bush here, man. I've already put several question to you around this whole issue of these limpet mines and

you've already agreed with me that you knew the limpet mines were being tampered with. You knew that people were tampering with detonators and that they came from Vlakplaas. --- Yes.

Let's not waste any more time on the issue. I mean, it's pretty obvious everybody knew that. Certainly in the SB you would have know that at that time? --- Ja, we would have.

And when you saw incident of this in the media that so-and-so blew himself up or three left legs were found, you knew that it was the work of your unit.

--- Presumed it, yes.

Not just presumed, knew for a fact because no one else did it? --- What I know for a fact is what I see with my own eyes, the rest I presume or I guess.

Okay, let's leave it at presume. --- All right.

MR GOVENDER: Simon Makai, was he an askari or a policeman? --- A policeman.

Policeman. Was he ever an askari? --- Not that I know of, no.

Do you know where he is now presently? --- I believe still in the security branch at 'Maritzburg.

Still in the security branch. Did you know - Mr Bennetts ... (intervention)

MR LAINLAX: Mr Govender, this is probably an appropriate time for us to stop for today. I think - I really don't think we're going to finish Mr Bennetts today. There's a great deal more I certainly will want

/to ask

to ask questions about. I'm sorry to inconvenience

you further but clearly it's a slow process and there's a lot more we still need to talk to you about.

--- I understand.

And I don't want to try and rush it now. It's already ten past four. --- Right.

You've had a long day. I'd rather ... (intervention) --- I would rather get finished as soon as possible. At the moment nobody's putting bread on my table but myself. So I would like to get done with this please.

No, we understand that. In terms of our Act and in terms of our regulations you are entitled to certain witness fees and so on. We will arrange that for you. But for the moment I don't see much point in us continuing beyond half past four and there's still going to be a much long time for us to work with you and discuss these matters with you. I'm just wondering whether we should stop at this stage or press on but know that we're going to stop at half past four. --- Let's get as much done as we can.

Okay.

CHAIRMAN: Shall we just move on to another area now?

MR GOVENDER: Do you know - Mr Bennetts, do you know a number of the security branch - sorry, let's put it this way. Do you know of the killing of a PAC operative in KwaZulu/Natal while you were at the branch? --- The killing - by killing do you mean murder?

Yes. --- Yes.

Tell us about that. --- Which one?

Well, start with whichever one you want to.

We'll

/come

come to the other one. --- All right, I know of two. Personally of one, hearsay of another one.

Okay. --- All right. Well, the hearsay one, I suppose, is the shortest one. Shall we smack that one first.

Okay, if you want to, Mr Bennetts. --- All right. I was not personally involved in it. I heard about it. It was a PAC operative who was identified by an informer. It was arranged that he would be travelling on a train from Pinetown to Durban, I believe ... (intervention)

From Pinetown, you said? --- Ja, from that area anyway. And at the Seaview or Bellair railway station he was shot and killed.

Now, who shot him? --- The police shot him. It was a set-up.

Which police? --- The South African Police. The reaction unit.

On whose instructions was that? --- I don't know if you could call it instructions. I don't know. I wasn't there with that one but I can presume on whose instructions.

Well, tell us who you presume the ... (intervention) --- Warrant-Officer André Fivaz.

Fivaz. Was Fivaz a member of the security branch also? --- Yes, that's correct.

Did you work with him? --- Yes, that's correct.

Okay. When you say you presumed, on what do you based this presumption? --- Okay, it looks like it's not going to be as short as what we thought.

Fivaz would have wanted to protect an informer that he was

/working

working with and the only way to protect this informer's identity would have been to ensure that the person he was pointing out was assassinated.

Okay. And the identity of the person he wanted to protect, who is that person? --- His informer was a PAC.

PAC. Was he an askari? --- Ja, I suppose you could call him that.

Yes. --- Same thing, ja.

And where was this askari based? --- Nowhere.

He worked with Fivaz and Fivaz alone.

He worked with Fivaz? --- Ja.

Okay, carry on.

MR LAINLAX: Sorry, can I just ask something here. Which section was Fivaz part of because it's the first time we hear about him and if you'd work with him, yes. --- Fivaz was - sorry, I'm sorry. I didn't mention him earlier. Fivaz was on C Section with us. He was at C Section the day I first reported there.

Because when you went through that long list of people you'd worked with you didn't mention him at all. --- No, I didn't mention him at all. He was there. You can add him on that list. He was there.

Okay. What was his rank? You said warrant-officer? --- Warrant-officer.

Where's he now? --- I believe at Boland Bank Building selling insurance policies or something.

Thank you. Continue, Mr Govender.

MR GOVENDER: Yeah, you were saying that Fivaz wanted

to protect the identity of an askari. Was this a PAC askari? --- That is correct, yes.

/And the

And the person who was killed was a PAC operative? --- That is correct, yes.

And that's because he would have been able to identify the askari, is that correct? --- That is correct, yes.

How did that come about that he would be able to identify the askari? --- I believe the askari had had contact with him.

Had had contact with him? --- The askari has actually set him up on the train, ja.

I see. --- If the guy had been arrested he would have pretty easily made the fact known that this guy had set him up.

So there was not a reason to actually ... (intervention) --- And this was the second of two similar incidents, so ... (incomplete)

Yes. Now, you said on the instructions of Fivaz?

--- Presumably on his instructions, yes.

Presumably ... (intervention) --- Well, all I know about that incident is what I happened to hear over the radio on the day.

Yes, but the presumptions that you've come through that it was Fivaz who would have instructed the reaction unit to kill him on the train ... (intervention) --- Yes, Sir.

... how did you arrive at that? --- Based on the fact of who was involved in it and based on the previous incident which is the long one. Maybe you want to save that one for another day. That's going

to take us another half a day then.

Is this one linked to a previous incident or it is

/linked

linked to the other PAC operative that was killed?

--- It's linked to the other - another PAC operative that was also killed in Inanda.

Ja, tell us about that.

MR LAINLAX: Sorry, before you do. Before you do, I want to just finish with this issue - this particular incident. I know this incident leads into the other one or the other one preceded this one, if I understand you correct. --- Ja, if I recall correctly, ja.

But there're some basic things I want to just clear up. --- Okay.

These are PAC askaris? Yes, Sir.

Were the APLA people? In other words, were they the equivalent of MK in the PAC? --- Ja, equivalent of MK in the PAC, yes.

Okay. And you said you heard this over the radio. --- That is correct.

Is that your radio? --- The police radio.

Police radio. Now, did the security branch have its own channel? --- Yes, Sir.

And would their radio communications have been recorded the same as any other police unit's communications? --- No, Sir.

So it was only riot and uniformed branch that were recorded? --- And murder and robbery and everybody else.

And CIDs and so on? --- Ja.

But not you chaps? --- No, Sir.

Not even for your own records? --- Not even for our own records.

And what did you hear over the radio? ---

/The entire

The entire incident taking place in so far as the conversations with Fivaz saying that his informer had got off of the train, identified the guy on the train.

Fivaz describing - in fact, you know, that thing might be recorded because there's a possibility it was on channel 2, not on channel 6.

I was about to ask you that question. How would the reaction unit have known ... (intervention) ---

That's why I'm just thinking.

Precisely. --- Unless one of them had one of our radios which did also occur on occasion.

But was unusual? --- But - no, I think in such a case, more than likely that is what happened.

Okay. Just for the record, the reaction unit was -you told us earlier but I just want to clarify and make sure I understand this correctly - was an arm of the riot unit? --- Ja.

Or the internal stability unit as it came to be called? --- The internal stability unit as it came to be called, yes.

And they were a particular section of that unit ... (intervention) --- That is correct.

... that was used for follow-up operations or hot pursuit operations? --- For - ja, hot pursuit, armed house penetrations. They were the jacked up guys in the area with the right equipment to do the right job. They consisted of the snipers of everybody

else.

And they were guys who were far more combat oriented than ordinary riot units? --- That's all they did. They did not policing work. They just ran around kicking doors down all day and throwing in hand-

grenades.

grenades. That's all they did for training.

Before we go back to this incident, did you get any exposure or experience in combat scenarios in Namibia or in Zimbabwe or any of those places? ---

No, Sir.

Never got sent to the border, as they called it?

--- I went to the border but to a South African border. Bophuthatswana border, not South-West.

But you weren't involved in any contacts at that juncture? --- No. ARCHIVE FOR JUSTICE

Okay. Carry on, Mr Govender, sorry.

MR GOVENDER: You've just told in response to the question by the Commissioner you said that you in actual heard André Fivaz speaking over the radio giving instructions and description about the PAC operative on the train, is that correct? --- That is correct, yes, Sir.

Did you hear him giving instructions that the PAC operative should be killed? --- No, I did not hear that.

What did you actually hear him say? --- I heard the description of what the guy was wearing, that he was on the train and that he would be climbing off at whichever station.

And this was directed to ... (intervention) ---

It was understood from the conversation that these guys were waiting for the train at that station.

I see, and he was talking to the reaction unit?

--- And he was talking to the reaction unit, yes.

Now, Mr Bennetts, you were going to tell us about the incident that actually preceded this one. Could you tell us about it? --- Ja, this occurred at Inanda. /Guy was

Guy was shot dead in the house. Also, it was planned.

Who was the guy shot dead in the house? ---

Also a PAC/APLA operative, askari, whatever you want to call him. Ag, not an askari, a guy identified by the askari through Fivaz again.

Which askari was this? Was it the same askari involved... (intervention) --- The same askari as this time, ja. There was only one PAC that I know of in the Durban area. ARCHIVE FOR JUSTICE

So he was identified and shot by the askari?

--- No, no, no. He was identified by the askari. He was shot by the reaction unit.

By the reaction unit. (Side B ends) (Side A of subsequent tape begins mid-sentence) --- ... mean of the entire incident.

You planned the incident? --- Yes, Sir.

Who was involved... (intervention) --- I didn't plan it, I was involved with the planning.

Okay, who was involved in the planning of it apart from yourself? --- Fivaz, I think De Jager, I'm speaking under correction, Chris de Jager, Piet Nel. I don't know if I mentioned Piet Nel on my earlier list.

MR LAINLAX: You did. --- Piet Nel, myself, Sean

Fourie, Capie Niemand, Tony Fernandes.

MR GOVENDER: Okay. --- Wait, I just - sorry, I just want to back up a bit here.

Okay. --- Sean Fourie, myself, Tony Fernandes, Capie I don't think was involved in the planning. Leave him out. And André Fivaz and I think Piet Nel.

Piet Nel. And Chris de Jager, you mentioned.

--- I'm not sure. I'm really not sure. I've got his name

/in with

in with this thing in my head, but why I don't know. I'm not sure.

Now, where did this planning take place? ---

At the offices of the reaction unit at Point.

Now, how did it come about that you all had to plan for this? Explain that to us. --- We were contacted, who by I'm not sure, and just told to report there as soon as possible. I walked in on a meeting which was already under way with Fivaz - sorry, I'm just trying to picture this. Fivaz, I think - it was either Piet Nel or De Jager, one of the two. I'm not sure which one. And I think three or four of the chaps from the reaction unit only. There was a limited number of them sitting there in the office round a table.

Who were the people from the reaction - do you know their names? --- I cannot remember, Sir.

You cannot remember. Were they senior members of the reaction unit? --- No, no, it was all sergeants, warrant-officers, the same as what we were.

Okay. --- The planning was done and ...

(intervention)

Well, tell us about the planning. Who initiated it? What was the discussion about? --- All right, the discussion was basically again based on the fact that this askari had identified this guy. He was in a house in Inanda. It was necessary that he would have to be killed otherwise he would identify the askari and a plan - at that stage, I believe the plan had already been brought into operation as to how and who would be involved in it.

And who was to be involved in it? --- Well, /these these four members of the reaction unit who would so say be the penetration team, would ensure that they would shoot the guy in the house and make it look like he had tried to resist in some way.

What was your role in this apart from being present at the planning? --- Was to supply a hand-grenade to plant.

An hand-grenade? --- An hand-grenade, yes.

Were you keeper of the hand-grenades or what?
--- No, I had a - I had in my possession a hand-grenade which had been cleaned out. It was totally safe. It was an ornament. It had no detonator, it had no explosives in it.

Yes, and that was to be used for? --- To plant on this guy after he was shot if they didn't find anything in the house, just to make sure I brought that with.

So your role was just limited to that, was it?
--- That was it.

That was it. And what was the other people's

roles to be in this whole thing? Like Fivaz, Fernandes ... (intervention) --- Fernandes was an explosives expert. Excuse me, he was to go with in case there were explosives in the house.

Uh-huh. And were you ... (intervention) --- Which at that stage was presumed would be the case.

And were you to go along with also? --- Ja, we would go because as members of C team as such inevitably a group of us would be involved with all of these sort of things.

So all these people that were at the meeting from /your your unit would go along also, is that correct? ---

Would go along also, yes.

Okay. And did you all go? Did it happen? Tell us about it. --- Yes, it did happen.

MR LYSTER: Can I just interrupt? Was the purpose of having the reaction unit there to make it look as though that - them being the unit which was used to, you know, penetrate a house in which arms was being held or in which people were being holed up? I mean, why didn't you do it yourselves? Why did you use the reaction unit? Was it ... (intervention) --- In case this guy did in fact resist. This was what they were trained for. By that stage we were out of it. I mean, to understand that the reaction unit themselves were trained - specialised trained guys to do this sort of thing, to do house penetrations. They were - they're the guys that you use to go into aeroplanes and sort out hostage situations and all that. That's all that they do specifically all day is train for this. It's the younger guys. It's the fitter guys.

MR LAINLAX: Were they the equivalent of a kind of a
swat team? --- That's it. The equivalent of a
swat team as such.

MR LYSTER: As far as you know, were they normally
used in situation where they or other members of the
police knew that there was somebody holed up in a
house and was constituting a danger to the police or
to the public? --- They would normally be the
crowd that was used, yes.

But they weren't normally used to actually go an
murder somebody? --- No, not normally, no.

/So if

So if you hadn't gone there and the reaction unit
hadn't gone there, there's very, very little
possibility whatsoever that this person would have -
he would have continued doing whatever he was doing?

--- Whatever he was doing, yes.

So a decision was taken that he should be
eliminated? --- That is correct.

And the reaction unit was brought in to do that?

--- Ja. That decision was taken prior to my
arrival there but we were informed of this decision
and I was asked to provide the hand-grenade, which I
did.

MR LAINLAX: Who would have taken that decision?

Surely decisions of that nature ... (intervention)

--- Fivaz.

... would have been authorised in some way? ---

They would have been authorised from higher up. But
Fivaz - it was known that Fivaz had been working with
this informer for some months already and there was no
reason to doubt that he said it had come from higher

up. He didn't say from who or where but there was no reason to doubt it that it had been sanctioned.

MR LYSTER: I mean, it would have been high up, wouldn't it? --- Ja, definitely. There's no way that a warrant-officer - I mean, that's all Fivaz was at that time was a warrant-officer. He could have suggested something like that but it would have had to come from higher up.

MR GOVENDER: So the meeting you all had was just to plan the operation. The decision to do the killing had already been taken. --- That had already been taken.

(Inaudible) ... conveyed to you all, is that what /you're you're saying? --- That is what I'm saying, yes, Sir.

So you just planned the operation? --- Yes, Sir.

MR LYSTER: Is it like that it would have been taken by Colonel Taylor? --- I would say in all likelihood, yes.

MR GOVENDER: The name of the askari involved, Mr Bennetts, the PAC askari involved in this incident? --- I don't know.

You don't know? --- I don't know.

You've met him? --- I've met him, yes.

Yes. --- When I say I've met him, I've passed him in the passage. He used to come and go at C R Swart on occasion. He was known or referred to a Packman.

As Packman? --- Packman, ja.

And he was under the control of Fivaz? ---

Ja. I think - I seem to recall that his name - whether it was his correct name or not, was George.

George. Okay. Do you know what's happened to him since. --- No idea.

Now, just explain to us what happened at the house when you got there? --- I was amongst the group of the guys that stayed outside. The reaction unit guys went in. André Fivaz did not go with at all from what I remember. Ja, I don't think he went with at all. They were in there a good ten, fifteen possibly twenty minutes, I don't know. Tony Fernandes went into the house. I can't recall if he had the grenade already in his possession, the one I'd supplied, or if he came back and fetched it afterwards. I don't know. At that point /I can't I can't tell you. But he went into the house so say something had been found. The next minute we heard the guys, which is as they are trained to do, is just scream "Grenade" presumable because the guy had pulled a grenade. Quite a few shots fired, quite a few. During the same time frame as this was being shouted and the shots were being fired, Tony Fernandes came jumping through one of the doors like a mad thing, rolling down the bank, also screaming, "Grenade".

And this was the grenade that you had supplied to him? --- Ja.

And it was ... (intervention) --- Well, we didn't see a grenade. We just heard the screaming and the shots. All right, then we knew that the oke had been shot. He had been taken care of.

And the grenade planted on him? --- And the grenade planted. It was placed on the floor next to

him. An officer visited the scene. It was photographed on the floor and finally an inquest was held, I believe, and it was written off as justifiable homicide.

The grenade itself was not detonated by your group or the reaction unit? --- I don't know what happened to the grenade afterwards. I really don't know.

You don't know whether - Tony Fernandes was the ... (intervention) --- The explosives expert.

... explosives expert. Did he not perhaps blow up the grenade? --- I don't see - there was no reason to blow it up, there was bugger all in it.

Yes, but if it was ever subject for investigation it would have been discovered that there was nothing in it. --- Ja, but who would have looked at that?
He

/would
would have removed it. You see, his story is he removed it from the scene and did explode it. That's his story.

Is that his story? --- Ja. But whether that is in fact what happened or not, I doubt. There was no reason to go and blow the thing up.

It wasn't blown up on the scene? --- No, not on the scene.

Okay. I don't know whether this is an appropriate time. It's half past four. Do you want to proceed further?

CHAIRMAN: I don't know whether it's appropriate now to set a time or whether we should contact Mr Bennetts and arrange a mutually convenient time. I think that

may be better than to ... (incomplete)

MR LAINLAX: Should be just adjourn for two minutes.

Let's see if we can compare diaries and see what suits you. I'd like to just check my diary so we can confirm when we're all available.

HEARING ADJOURNS

ON RESUMPTION:

CHAIRMAN: Tuesday, 26th November, 9.00am.

DISCUSSION ENSUES WITH REGARD TO CONTINUATION OF PROCEEDINGS

CHAIRMAN: Okay, Tuesday, 26th November, 8.30am.

--- That's fine, Sir.

Thank you very much. --- Witness fees. Sort it out then?

Let's have a talk about it now. --- Okay.
Can I switch off here then? Are we done?

Ja, it's adjourned.

PROCEEDINGS ADJOURNED TO 1997/11/26
