

PROCEEDINGS HELD AT



ON

23 APRIL 1997

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CHAIRMAN: Mr Brummer, can you please just come forward and take the recording technician's oath please.

KEVIN JOHN BRUMMER SWORN IN AS RECORDING TECHNICIAN

CHAIRMAN: Mr Wagner, if you will just place yourself on record, and then we'll swear your client in, and then we'll proceed with the inquiry after that.

MR WAGENER: Thank you, Mr Chairman. I am Jan Wagener, of the firm of Wagener Muller & Du Plessis of Pretoria, and I am here today representing Mr Taylor, who has been requested to appear before you in terms of section 29.

JAMES BROUGH TAYLOR (Sworn, States)

CHAIRMAN: Thank you. This is an inquiry in terms of section 29 of the Promotion of National Unity and Reconciliation Act of 1995. It's not a hearing, but it is an investigative inquiry, and as such it is held in camera. No findings will be made at this hearing, and it is, as I have stated, an investigative inquiry.

I will briefly outline the duties and obligations of the respective parties as set out in terms of the Act. You have the right to legal representation, and you are represented by Mr Wagener. And in terms of section 31 of the Act, as a person subpoenaed to appear at this inquiry you are compelled to answer any questions, notwithstanding the fact that the answer may incriminate you. There are conditions applicable to this section. They are as follows: that there must have been consultation with the Regional Attorney-General; that the Chairperson of the inquiry must be satisfied that the request for information is reasonable, necessary and justifiable in an open and democratic society; and, of course, that you have

refused

/to answer

to answer the questions. The Act provides that any incriminating evidence obtained at the inquiry is not admissible against you in any court, except if you are at any stage charged with perjury, giving two different versions, then evidence which you gave at this inquiry can be used against you to attempt to prove that you have committed perjury.

In terms of section 39 (d) (1) and (2) of the Act it is an offence punishable by imprisonment upon conviction of up to two years - anyone who hinders the Commission in the performance of its duties or wilfully furnishes the Commission with information which is false or misleading. Similarly, any person who refuses to attend an inquiry after having been subpoenaed, or refuses to answer questions put to him in an inquiry, shall also be guilty of an offence.

So those are the preliminaries, and we will now proceed with the investigation. Is there anything that you want to record at this stage, Mr Wagener, before we proceed.

MR WAGENER: Thank you, Mr Chairman. Very briefly. My client received a notice in terms of section 29 to testify in four matters - actually - no, I think it's four matters, because it's Haffajee, Khanyile, Khumalo and Turner, and in a letter we received the day before yesterday he was also requested to give evidence regarding an incident that took place in London some time ago, for which I assume you are aware that he has asked amnesty for. We have requested to be given particulars regarding his alleged involvement in these

matters, and earlier this morning - well, first we received a letter the day before

/yesterday

yesterday giving rather scant reference to allegations against him, and earlier this morning we received part of a statement of some unknown police officer regarding the Haffajee matter. We thank you for that. We've gone through it, we've prepared for that, and we would be able to deal with the matter fully. I would only like to place on record that regarding the other incidents my client has been referred to in his notice, I was informed that you have no direct implications or allegations implicating him in any one of those, and that you are merely going to require from him to ask questions of what he knows about the incidents or not.

CHAIRMAN: Yes, that's correct. With regard to the - I think you're referring to the Khumalo and Khanyile incidents, is that correct?

MR WAGENER: And also ... (intervention)

CHAIRMAN: And Turner. We don't have any statements, sworn or otherwise, which implicate your client. We have information which is in slightly more detail than you received in your letter, and we will put questions to your client surrounding those incidents - the period in which they took place, where he was, that sort of thing. But we don't have any statements which we feel that we can or should make available to you.

MR WAGENER: Okay, then our request would obviously be - and I think you have already, Mr Chairman, answered that - is that if you do have any specific allegations please put it to my client, let him respond to that, so that we can try and solve the matter from our side today

as we are here.

The last point I would like to raise is that the /statement statement I received from you reflects pages 172-77 of a bundle. I assume it is the bundle before you, and may we assume then that in all the other pages there's nothing that implicates my client in any way whatsoever?

CHAIRMAN: Certainly not in the form of statements which your client has not seen which implicate him. The bulk of this, in fact, is the transcript of the inquest into the death of Dr Haffajee, which your client obviously attended and gave evidence at.

MR WAGENER: And then a very last issue, Mr Chairman, and I really thought about this before putting it on record, but I think maybe it will be proper to put it on record. At the request of Mr Govender we met earlier this morning with the brother of the deceased, Dr Haffajee. He requested to see us, and we thought we had no reason not to meet with this gentleman, so the meeting did take place. According to us it was not a very successful meeting. I have to put it on record that a comment was made by him in words that we regarded as a threat, and we think it's very unfortunate that this has happened. Apparently he has appeared before you. Insofar as you have control of this process maybe, and I am not trying to tell you how to do your work, but maybe you should approach this gentleman and try to help him. It is clear that he is suffering, but we didn't really take kindly to the threat that was made in our presence. And also he made certain suggestions to me that I don't want to put on record, but which I found somewhat improper. Thank you, Mr Chairman.

CHAIRMAN: (Inaudible) ... comment on that. We have had a number of victims of humans rights violations who have

/attempted attempted to gain access to proceedings such as this, and we've had to explain to them that we are bound by the Act, we cannot allow them in. We do understand the emotions that they are expressing, and we haven't really been able to exclude them from the reception area. We had a similar situation with Mr McBride, who appeared here on Monday, and we had to go through the same performance, and I think it is proper that Mr Haffajee should have some form of counselling. We have advised him to do this, and we will deal with it.

MR WAGENER: Due to lack of particularity we were unfortunately not able to draft a prior statement by Mr Taylor. We would have preferred that, it could have helped us all this morning, but unfortunately we have no statement at present, so I think you will take the - you will have to take the long road and ask the questions.

CHAIRMAN: Mr Govender?

MR GOVENDER: Thank you, Mr Chairman. Mr Taylor, just I want to go through some of your personal details, and would you confirm them for me? Is it correct that your force number when you were a member of the South African Police was [REDACTED] --- That is correct.

CHAIRMAN: Just a moment. Mr Taylor, you may as well just leave your mike on, instead of having to switch it on and off the whole time. It won't interfere with anyone else's.

MR GOVENDER: Your present address, Mr Taylor, is 10 Kassieboem Crescent, Swartkop, Centurion, Pretoria, is

that right? --- Not completely. It's changed in the last few days as a matter of fact. I've just moved to another residence. Do you want the latest address?

/Please.

Please. --- It is No [REDACTED], [REDACTED] [REDACTED], [REDACTED], with the postal code [REDACTED].

You were born in Blackpool, UK - United Kingdom, is that correct? --- That is correct.

Your present telephone number, has it changed? -- It has. It's now [REDACTED].

Thank you. Is it correct then that you joined the South African Police on the 15th of January 1964? --- Correct.

And at that time you were involved in a human resource management course at the South African Police College in Pretoria? --- During the year of 1964, yes.

That was until the 3rd of December 1964 you were at the course? --- Approximately, yes.

And is it correct on the 7th of December 1964 you were transferred to Belville SAP? --- Correct.

And on the 4th of - sorry. And until June 1971 you served in numerous capacities, until you were promoted in 1970 to a sergeant. --- Correct.

But on 2 July 1971 you were based in Umbilo South African Police, is that correct? --- Umbilo, Durban, correct.

Umbilo, Durban, yes. In the capacity as a charge office sergeant. --- Amongst other things, yes.

On the 6th December 1973 you were based in Durban at Durban District Commissioner's office. --- That

is correct.

And you were a financial clerk at that time, in the capacity as a financial clerk. --- Correct.

You attended a candidate officer's course in 1976.

/--- That

--- That is correct. In between, if I could just add, during the year of 1974 I was promoted to the rank of warrant-officer, and served in the capacity of district clerk at the Durban & District Headquarters.

Headquarters at C R Swart? --- Well, it wasn't then, it was at - the district headquarters was based at Fisher Street then.

Fisher Street. But on the 4th of November 1976 you were transferred to the Security Branch of the SAP.

--- That is correct.

And you were based at the Divisional Headquarters in C R Swart. --- Again at Fisher Street.

Fisher Street? --- Ja, Fisher Street.

And then December 1976 you were promoted to lieutenant. --- Correct.

And at that time Colonel Herman Stadler was the commander of the Security Branch, is that correct? --- No, that's not correct.

Who was? --- The provisional commander, as he was then known, was Colonel F M A Steenkamp.

Steenkamp. Were you attached to the student desk of the Security Branch when you joined? --- No.

When were you - were you ever attached to the student ... (intervention) --- No, I was ... (intervention)

Never? --- I started off in a section, headed up a section at a later stage, known as the church desk.

Church desk? --- Yes.

What was that desk involved in, Mr Taylor? ---

Well, amongst other things it was involved in the monitoring of various organisations, especially those /which had which had been declared to be unlawful organisations, or alternatively where certain personalities within those organisations were banned at the time, or where the activities of those individuals and/or organisations were deemed to be counter to the interests of the government of the time.

And the name, "church desk," how does that fit in?

--- Well, that was how it was known. Similarly we had, as you've mentioned, a student desk, we also had a labour desk or trade union desk.

So church had nothing to do with church organisations? ---  Oh yes.

With church organisations only? --- Yes.

Oh, I see. Who was the commanding officer of the section, of this desk? --- Well, there was a group, and the group consisted of three sections, namely the student desk, the trade union desk and the church desk.

I was the section leader of the church desk, Lieutenant -then at the time - Vic Macpherson(?) was in charge of the student desk. I think he was also a Lieutenant - Harold Weiss was in charge of the trade union desk, and all three sections fell under the command of a Captain P L du Toit.

The members of this section under the command of Colonel du Toit? Who were the members of this section?

Can you name them? --- All three sections?

Yes. --- No, not off-hand in total. Some of them, yes.

Your section? --- There was a Sergeant du Preez at a later stage. There was a Constable Mark Weiss(?), who is now deceased for some time. And that was about it at that stage. On the trade union side there was a

/Lieutenant Lieutenant van der Westhuizen, assisting Lieutenant Miles. On the student desk, under Lieutenant Macpherson, there were numerous individuals, lower-ranking officers, mostly with the rank of sergeant and constable.

Do you remember any of their names? --- There was a Constable de Wet. There was a Sergeant van Niekerk at one juncture. I am sorry, I can't recall any more. Probably it will come to me at a later stage.

Bobby Welman? --- The late Colonel Robert Welman. He at that stage was also a captain. He was in charge of a separate entity known as the black consciousness desk.

Was he head of the section? --- That's right.

John Senekal? --- Yes, John Senekal was a lieutenant and, if I recall correctly - this is some time ago - he at that stage probably served with Colonel Welman.

Under that section? --- Yes.

Piet Brandt? --- Piet Brandt was an NCO, constable - or sergeant I think. He served with Lieutenant Macpherson on the student desk. And I am not quite sure about the particular time frame involved here. I mean we started off talking about 1976, but

this would obviously go on 1977-78, when they became perhaps - some of them became later additions to the staff. Exactly when each and every individual member was seconded to the Security Branch I can't say.

Ja, okay. Kallie Weyers? --- Excuse me?

Kallie Weyers. --- Yes. A warrant-officer - sergeant warrant-officer at the time. He also served with Lieutenant Macpherson, that's correct. He became an

/officer

officer later on.

Is it correct that on the 1st of August 1988 you were transferred to the Crime Combating and Investigation Division, which was a sub component of the Security Branch? --- That is correct. Based at Pretoria headquarters.

In Pretoria, yes. --- That is correct.

And by 1990 you were promoted to major. --- I was promoted to major, if I remember correctly, during the year of 1988.

1988? --- Yes.

That's at the time you were promoted - or you were moved to the Crime Combating? Was it around that time?

--- Subsequent to my arrival at Pretoria Headquarters, yes. And then promoted to the rank of lieutenant-colonel, I think again, during the year of 1990.

To lieutenant in 1990. --- Excuse me?

Sorry, to what? --- To the rank of lieutenant-colonel.

In 1990? --- Yes. And ultimately to the rank of full colonel during the year of 1993, I think.

Did you do duties on the South-West African border at any stage during ... (inaudible) --- Yes, I did three border tours, but not so much in South-West Africa. Two in Rhodesia, the then Rhodesia, Zimbabwe as it now is known. The first one in 1969 in the Zambezi Valley, based at Chirundu. The second tour in Zimbabwe at the falls in 1972. The third tour of border duty was during 1970 in the Caprivi Zipvel(?).

Presently what are you - what is our status? ---
In terms of the work circumstances?

/Yes. ---

Yes. --- I am a pensioner. I retired medically unfit from the South African Police during - or at the end of March 1994, and have engaged in diversified tasks, based mainly on a consultancy basis for various security companies. And I am also, in terms of an existing contract, used on a year-to-year basis so far as an examiner for the Technikon RSA in terms of marking of exam papers and assignments.

Which exam papers are these? Police examinations?

--- For the Diploma in Police Administration, and specifically for the subject Investigation of Crime.

Are you in any way employed with the Foundation for Equality Before the Law? --- No. I was requested to assist them, and I did in fact assist them with the writing of a - the compilation and the writing of a document which then also formed the Foundation's official submission to the Truth and Reconciliation Commission, and which was handed in, I think, if I remember correctly - handed in to the Commission in Johannesburg during September of last year.

Is there anything that the Commissioners would like to ask in respect to Mr Taylor's personal circumstances?

MR LAX: When you were talking about the different desks, student, church, etcetera, you only mentioned one - I think one name or two names in your particular section of which you were section head, the church desk.

You mentioned a Sergeant de Wet or du Preez. ---
Sergeant du Preez, yes.

Just the two of you? --- And a Constable Mark Weiss.

Weiss? --- Yes.

/So it

So it was just ... (intervention) --- It was a very small section, yes. There were never more than three or four men on the section.

Sorry, what was Lieutenant Miles' first name? --
-- Harold.

Harold. And this du Preez, Sergeant du Preez, which du Preez was that? --- It was Sergeant - I think his first name was - correct name was Samuel, Samuel du Preez.

You said Weiss is subsequently deceased. ---
Yes. He was killed during the - probably about 1977 or '78.

What other sections were there of the Security Branch at that time? --- Well, over and above those that I've already mentioned ... (intervention)

Can you just recap? You said church, trade union, student, then you spoke about black consciousness. ---

Yes.

What other sections were there? --- Primarily then there would have been the ANC desk, a further section which concentrated on the PAC. The ANC desk itself would have also dealt with - at that time with the activities of the South African Communist Party, because of the alliance which existed between the Communist Party and the ANC. And that is about it. Under the ANC desk, the ANC/SACP desk, you had - there was a research division and then an investigative section.

Now, who would have headed up the ANC/SACP desk at that time? --- At that time it was a senior officer - well there were three senior officers. Well, to us they were relatively senior then, a Captain Daan Wessels, there was a Captain Dreyer.

/Dreyer,

Dreyer, did you say? Dreyer, yes.

And his first name would be? --- I can't recall. There was a ... (intervention)

Was he the guy who went to 'Maritzburg subsequently, or a different Dreyer? --- No. No, no, no, this was a different Dreyer. There was a Captain van Zyl, David van Zyl. In that particular section another officer at that time was Lieutenant Andy Taylor. As far as the officers are concerned that's all I can recall.

What other personnel besides officers that you might remember? --- I mean those section consisted of both whites and African members. There was a Warrant-Officer van Dyk, who later became a lieutenant. There was - ag, numerous black members.

Any of them stick in your mind? --- Dear oh dear. Warrant-Officer Charles Ndaba, Sergeant Mthembu.

Although I think Sergeant Mthembu at that stage was more -ja, he was - sorry, he was allocated to the trade union desk. Sergeant Lennon Nkosi. He was also killed during the year of 1977. He was shot and murdered at his home in KwaMashu. There was a Sergeant John Ngima. Ngima, N-g-i-m-a.

Ja, I've got that. --- There was a Warrant-Officer Mhlongo. I'm afraid that's about all I can recall at the moment.

Ja. As far as the PAC desk went, who was involved there? --- I am not quite sure now, thinking back, at a certain stage I think the members allocated to the black consciousness desk also took on the workload surrounding the PAC as such, because of the close liaison and co-operation between the BCM ... (incomplete
- end of Side

/A, Cassette 1)

A, Cassette 1)

Was there any specialisation as such in terms of functions in the Security Branch? For example there would have been people who were expert at explosives, and there were people who would have been expert at phone-tapping, or surveillance, electronic equipment, that sort of stuff? --- Yes, there was. In terms of the existing legislation there was a section which was subdivided into two, which at that stage were known as WH10 and WH11 sections, which were primarily responsible for phone interceptions and postal interceptions.

Who would have been in charge of those two units, or that section as a whole? --- At that stage there

was a major there who had retired and been brought back in a special capacity, but I cannot recall his name.

Okay. --- In fact the Lieutenant van Dyk that I previously mentioned eventually ended up taking over that section.

Right. But you tended to use retired policemen for that, or mostly for that job. That's my understanding. --- That's correct, to a large extent, yes.

It was mostly office work, and entailed transcribing and opening and closing mail, and that sort of thing. --- Correct.

Now, what about the more technical stuff which entailed actually planting bugs? It would require people of a different calibre. And then the explosive section. --- Yes. In terms of the explosive section, if I can refer to that first of all, there wasn't so much a section, not at a divisional level. What occurred, with the passing of time, especially in Durban, with the

/escalating
escalating sabotage rate which we were subjected to, a large number of explosions and acts of sabotage being carried out, it became far more important to train certain people as explosives experts, and a number of people from the various desks were, over a period of time, sent on explosives courses.

Were you sent on such a course? --- No.

Who are the people that stick out in your mind as being primarily responsible for that side? --- Well, in terms of the various explosives experts, the late Lieutenant-Colonel Bobby Welman was the most senior

person. Fanie Weyers - I think he has just retired now as a colonel. He was an explosives expert. Captain Piet Brandt was, Warrant-Officer Sam du Preez was. There was a Captain Lourens, who was subsequently transferred to the Western Cape. That's all I can recall off-hand.

Lieutenant Fernandes? Don't you recall? Was there ever a Warrant-Officer or a Lieutenant Fernandes that you recall? --- No. No. I think if I am correct the person you may be alluding to was in fact an explosives expert, but I think attached to the Northern Transvaal division, Pretoria.

He was after your time in Durban. --- Oh well, that would be - that is quite possible.

Ja. There was a - I can't remember his rank - a Botha, who was an explosives expert as well. Did you have any dealings with him? M T Botha. --- Yes, I knew M T Botha, but I don't - yes, I think he could have been on the explosives course.

He was a well known explosives expert. --- Yes, he was. That's correct.

/And then

And then in terms of the technical side? --- In terms of local technical capability, I mean it was rather limited and haphazard, in the sense that in terms of the telephones or anything of any organisation or individual which had to be tapped, this was done through the - in liaison with an intermediary at the post office, being purely appointed or allocated ... (inaudible) ... liaison with the Security Branch. Other technical abilities primarily revolved around the individual's own capability and improvisation. If

anything of a rather sophisticated nature had to be done we usually called on the resources of the technical section at head office.

The sort of thing I am talking about is - you know, one understands that tapping of phones is relatively easy. You just go to the central exchange and they do it there through the Post Office Services. They just route a line through to your office from there, or wherever you would have had your headquarters.

I am familiar with that, but there were obviously other tapping devices and bugging devices that one would use that you could instal yourselves or - sometimes you might not want the post office to know that you were tapping somebody specific for confidentiality reasons. There may have been very good reasons why, and I know of instances where that was done. --- Where a telephone line was tapped?

Yes. We certainly bear knowledge of that. ---

Yes, well that may be, but not in my experience.

Ja. What I am talking about though is ... (intervention) --- The ones - sorry, the ones that I refer to, of course, were all duly and properly authorised.

/Yes, I'm

Yes, I'm sure they were. I am talking about putting listening devices into rooms, or homes, or offices. --- Yes, that certainly did occur.

Which didn't entail listening to telephone conversations. --- No, which was a separate entity.

Ja. Now, how would you go through that? I mean what would be the procedure to go about it? --- Well, in most events the modus operandi was to gain

access to the building concerned, or the room concerned, or the premises concerned, and in many events, or most events that I was ever engaged in, to - access by virtue of an occupant or an employee or whatever in the premises themselves.

And then you would just secret it somewhere where it couldn't be seen, or where it would maybe pick up whatever it was you wanted to pick up. --- That is correct.

Okay. Just to get back to what you're doing at the moment. We understand that you've been doing some work as a sort of estate agent consultant as well. ---

Yes, I did during the - towards the end of 1994 I did an estate agents course at the Estate Agents Board. I did the exam, wrote and passed the exam. I did an advanced promotions course with the Institute of Realtors, and I was employed by an estate agency for a period of about 12 months, but terminated my services there, I think, if I can remember correctly, in September '95.

And you mentioned that you were a consultant to a number of security firms. --- Yes.

Which security firms are these? Please tell us.

--- The one which - well, I was asked to come in and assist them in getting off the ground actually, to create

/a service, a service, which eventually never materialise. This was a company called Airborne Security, which was aimed or which envisaged transporting large amounts of cash in transit and other valuables by air. Of late another company which I have had liaison with, and have assisted

in terms of writing of proposals, etcetera, etcetera, is Orion Professional Management.

How do you spell that, sorry? --- Orion as in the ... (intervention)

A-r-y-a ... (intervention) --- O-r-i... (intervention)

... i-a-n. --- Ja.

I-o-n, sorry, as in the constellation. --- As in the stars.

And anyone else? --- No, not at this stage.

Just one aspect that's occurred to me. You haven't mentioned any Indian members whatsoever, or coloured members that would have worked with you. ---

That is correct. That slipped my mind. There was a totally separate Indian section, where one or two coloured members were also employed. When I started off, if I remember correctly, the section leader was a Captain Naicker, but that was for a short period of time. Virtually at the same time as I started there he left, I think he retired, and he was replaced by Lieutenant Moonsamy.

Now, round about the time of the Haffajee incident, or the arrest of Dr Haffajee, which people would you have been working with? Or let's move slowly into that matter, and if you could - how was it that he came to your attention in the first place? --- Well, I became aware of an investigation surrounding the late Dr Haffajee

/immediately immediately prior to August of 1977. The section under the command of Lieutenant Moonsamy were engaged with this investigation.

MR GOVENDER: Is Lieutenant Moonsamy the same as Lieutenant Benjamin Moonsamy? --- Yes. He later changed his name officially to that of Benjamin, and I think he retired as Major Moonsamy. This investigation, from what I have heard at the morning conferences and briefings, had been going on for some time. By the way, this particular section, the Indian contingent, also reported or fell under the command of Captain P L du Toit, so was actually in effect a fourth section within the group. At a certain stage, I can't say when or how it came about, but Lieutenant Macpherson of the student desk was allocated the task of taking over the investigation, or leading the investigation.

MR LAX: (Inaudible) ... investigation? --- Well, the information had been received that the late Dr Haffajee was involved with unlawful activities, and specifically activities which seemed to indicate that he may be involved, as far as I recollect, with explosives, possible manufacturing of explosives, the training and presenting of lectures to other individuals, primarily I think students from the University of Durban-Westville, in Marxist teachings, and possibly also the utilisation of explosive devices.

At the time you became aware that he'd been under surveillance how long had such surveillance been on the go for, as far as you can remember? --- I can't remember, but it was some length of time.

A couple of months, a couple of weeks? ---

/Months

Months were more like it.

MR GOVENDER: The source of that information - the activities that Dr Hoosen was involved in, what was the

source of the information to you personally? ---

You must remember that the information wasn't coming to me at that stage. I was not involved in the investigation preceding his arrest. As I later understood it, and in fact it came to be, the source - there was a physical source involved, an informer, and also technical monitoring, and then physical surveillance.

At the time of the surveillance, Mr Taylor, you - were you part of the surveillance at all? --- No.

But at that time were you aware of these allegations against Dr Hoosen, you personally? ---

Yes, I became aware, as I said, because of the morning conference and briefings, where each desk had to give an insert into that which they were engaged upon. And so in the general run of things in terms of the work circumstance one did ~~become away of it~~.

Were you briefed at that morning session, at that briefing session? --- Yes, that would have occurred.

And tell me, you were in church desk as you said.

--- That is correct.

What relevance did this case have to the section that you were in that you became involved? --- None at all.

How and why did you become involved in the investigation? --- I was instructed by Captain du Toit, as he then was, to come in and assist, probably -as far as I can remember - a day or perhaps two days before his ultimate arrest, on the morning of the 3rd of /August

August I think it was. But my actual involvement commenced at the time of his arrest. Again as far as I

can recall. But in terms of the investigation leading up to his arrest, my involvement there was absolutely minimal. So much so that I can't even to this day recall any particular contribution from my side.

MR LAX: Now, when was the decision made to arrest Dr Haffajee, and why was that decision made? ---

Again as far as I can recall it would have been made on the day preceding his arrest, perhaps that evening, I don't know, and I think it was made because we became aware that he in turn had been aware of - bore knowledge of certain of the surveillance activities.

So what was the purpose of arresting him then? -

-- The purpose of arresting him was to apprehend him, and to garner as much evidence as possible with a view to prosecution.

What would he have been prosecuted with? ---

Well, at that time the Terrorism Act existed, and the contemplated charges would have been under section - any of the various subsections of section 54 of the said Act.

You were involved in questioning him. --- To a certain degree, yes.

In order to do that you would have had to have some knowledge of what he was involved in. --- That is correct.

You've been very vague about what he was involved in, so I am just trying to understand. I mean you would have had to question this man, and in fact you were involved in his questioning for a long period of time from ... (intervention) --- Ja, a day.

/Well, ja,

Well, ja, roughly 12 to 14 hours. --- Correct.

And during that time, in order to be able to successfully question him, you would have had to have a good background of what he was involved in. --- Yes.

To that extent I at the onset was at a singular disadvantage in not having the full background to the investigation, but, again if I recall correctly, Captain du Toit had asked me to come in to assist in terms of providing a particular input, and to brief me fully in that regard I was provided with certain documentation which had been found at a certain juncture at his place of residence.

Well, what was your particular role then, if you elaborate on that for us please. --- Well, in terms of the interrogation itself my role - and the interrogation was done not only by myself, but various members of the Security Branch, including a number of members from the Indian section - would have been to try and extract information from him in terms of his involvement, and his links or coupling with any particular political organisation.

You just told us that you had a specific area that you were to question him about, and that you were specifically briefed in relation to that area. ---
Yes.

What was that area? --- That was mostly to do with the literature, in terms of Marxist ... (inaudible) ... literature and doctrines, pamphlets, books and notes in his own handwriting, which were found in his possession subsequent to his arrest and also thereafter.

Sorry, prior to his arrest and thereafter.

/What

What Marxist literature was this? --- I can't recall. It was various books, theses, banned literature. There were writings of Karl Marx, there were - again I speak under correction. There were, I think, official publications of certain organisations, but for the life of me I cannot recall them now.

I am sorry, you had roughly two days to prepare.

--- If that.

How did you prepare for this thing? Did you read the stuff, did you go through the documents, familiarise yourself with them? --- That's correct.

What could have - sorry. --- I think, if I recall correctly, the other objective was, in terms of the vast amount of notes on explosive techniques and sabotage techniques, the assembly of explosive devices, was to try and ascertain if, first of all, such explosive devices actually existed and where they were.

Was that one of your tasks, or was that someone else's task? --- No, in general. These were sort of questions that were being put to him over that 12-hour period.

Ja. But I am asking you specifically about your involvement, and you said you had a specific job, and that job related to this literature. --- That is correct, but it also covered the other terrain.

No, obviously you would have chipped in here and there, as anyone would in an investigation. --- Yes.

And as we're doing now. --- Yes.

But what I am trying to understand is your specific role, and your role was primarily aimed at dealing with the literature? --- The theory part of

things, yes.

/Yes. But

Yes. But specifically the political theory. ---

That is correct.

Yes. And what I am trying to understand is - well, if I had that job I would sit down and read those documents, go through them thoroughly, familiarise myself with them, and then be in a position to question someone about them. --- Correct.

Is that what you did? --- Yes.

Now, you can't remember exactly what those books were, but you think they were something to do with Marx or Marxist type books. --- Type, yes.

Or other banned literature. --- That's right.

Not necessarily of a Marxist nature? --- Not necessarily, no. There were others which we became aware of at a certain stage which, again if I remember correctly, he himself talked about and then admitted to having dumped in the Durban Harbour. In fact during the course of that day or evening he was taken to Durban Harbour, where he actually pointed out the supposed place where he had dumped this literature. This ostensibly subsequent to him having become aware of our interest.

These notes that were confiscated at his place, how did you gain access to his house, and search it and so on? --- As I recall access was gained by Lieutenant Macpherson and other members of the investigation team prior to the arrest by virtue of the informer who they had in place.

And you would have searched his place in his absence. --- Yes, I seem to recall that these

particular documents were found, and I think photostatted and the originals replaced. The originals in fact were

/recovered

recovered after his arrest, but during the day of the 3rd, as I remember.

Now, did you take him back to his flat to recover those things? --- No, I don't think so.

Why not? Because they wouldn't have been of any evidential value unless he was present when you found them. --- I can't recall ... (intervention)

You couldn't have used it in a court of law, as you know. --- ... the sequence of events, but again - or alternatively this may have been the case, the search of the premises could perhaps have only taken place on the day of the 4th, after his death. So I may be out with a day there. ~~In fact I~~ seem to think that would perhaps be more the case, which would account for his not being present.

You went back after he'd died and searched the place again. --- Yes, but at that stage the team had already known those things existed and that they were in fact there, because they were in the possession of the ... (inaudible)

Yes, but of course there may have been other things there that he might have put there in the interim between the time they originally searched. --- That is correct.

You still would have conducted a fairly thorough search. --- Yes.

And you were present on the second time. --- Yes, I was.

Please go ahead, Mr Govender.

MR GOVENDER: Do you know for how long the Security Branch kept surveillance on Dr Haffajee? --- No, I

/don't.

don't. I indicated earlier on that the investigation was probably something of two to three months' duration.

That's all I can recall.

You mentioned that the source of information was through an informer. --- That is correct.

An informer to the Security Branch. --- That is correct.

Do you know the identity of that informer? ---

Yes, I do.

And the informer's relationship to Dr Haffajee?

Do you know? --- I knew of the relationship, yes.

Did you know of the circumstances under which the informer came to inform on the Security Branch? ---

Under which the informer became ... (incomplete)

An informer to the Security Branch. --- No, other than that I tend to think that she had - the person concerned had been recruited by Lieutenant Moonsamy, or one of his section.

Was it your information that she had been recruited? Is that what you're saying? --- Yes.

You mentioned also, Colonel Taylor, something about being taken by Dr Haffajee to Durban Bay. ---

That is correct.

And as a result of him placing some documents at Durban Bay in response to him having become aware of your interest in him. --- That is correct.

Now, are you saying that Dr Haffajee was aware that you had an interest in him prior to his arrest? -

-- Yes, as I said earlier on, this led directly to the decision to effect the arrest on the morning of the 3rd, primarily due to the fact that it was obvious that he had

/become
become aware of our interest and our surveillance.

How did that become obvious to you? --- I think probably through the informer.

The informer? --- Yes.

Do you know exactly what the informer had said to the Security Branch in relation to that? --- No, I don't.

When you say you think, why do you think, Sir? -

-- Well, looking back on events this is the way I would seem to recall, that somehow or other we must have had a very strong indication, and it could either only have been through the surveillance itself, both technical surveillance, and/or through the informer.

You've just said earlier on that you were brought into this matter two days before his arrest, is that correct? --- As I recall, yes.

And you said that the surveillance on him was probably for a couple of months. --- That is correct.

And you say that access had been gained to his flat during the surveillance period, and documents had been photocopied and taken, is that correct? --- That is correct.

That could ... (inaudible - end of Side B, Cassette 1)

(Transcriber's Note: Cassette 2 is barely audible.)

Full and accurate transcription is impossible.)

(Beginning of Side A, Cassette 2)) It could have been done, yes. I am not really acquainted with the investigation in toto. I can't say at approximately which stage.

You were brought into the ... (inaudible) ---

As

I recall.

I recall.

Any reason why you were brought in to assist ... (inaudible)? --- (Inaudible) ... remember that it's a question of manpower availability in terms of who could be allocated to a specific investigation team in terms of the existing work load on the existing sections. So Captain du Toit, being in charge of the different sections that I've alluded to, would have made that decision, and in fact did make the decision.

Are you aware of anybody else ... (inaudible) ... those documents prior to you - to them being given to you? --- Yes. Well, as the person heading up the investigation, or persons heading up the investigation, I ... (inaudible) ... Macpherson would have had ... (inaudible)

(Inaudible) --- Yes.

(Inaudible) ... you were not an expert, so your questioning would have not been much different from the other people ... (inaudible) --- Yes and no, in the sense that the documents were provided or made available to me for me to acquaint myself with both the background of the investigation ... (intervention)

(Inaudible) --- No, I mean at that stage it was an ongoing thing. The assessment, especially

appertaining to those surrounding the explosives notes, the notes of explosive devices and ... (inaudible) ... would also, amongst other things, have been made available to our explosives expert for comment.

You were not specifically given the explosives notes ... (inaudible) --- No.

(Inaudible) --- No.

/Because

Because you're not an expert. --- No.

You're not an expert on Marxist theory or literature, but two days prior to the arrest you were given those documents, as you've earlier said, to assess,

and now you're saying that it may not be to assess them, but to acquaint yourself with the investigation. ---

With the background to the investigation, the background to the individual it concerned, and also in terms of trying to establish any - through the literature, any particular links with any particular organisation.

(Inaudible) ... and some assessment of these documents must have been made by the branch much earlier than two days before. --- Not necessarily so.

Why? --- Because I cannot confirm exactly during what period or at what juncture those documents were found until I took possession of them. It could have been a week before, it could have been two weeks before. We're talking about events 20 years ago.

Yes. --- And, I don't know about yourself, but in terms of anything which transpired over a period of time 20 years ago, I think there are very few people who can recall, in terms of chronological order, date, time

and place of each and every incident.

I grant you that. I grant you that, but ...
(inaudible) ... a lot of what you are saying doesn't
actually make sense, in the sense that you were given
these documents two days before Dr Haffajee's arrest.

--- I said approximately, as far as I can recall.

Approximately. At the time ... (inaudible) ...
you didn't know that the investigation was taking place
... (inaudible) ... a few months prior to that ...
(inaudible) /--- I

--- I said earlier on that I knew of the
investigation. In fact at various stages during early
morning conferences we were brought slightly up to date
with the progress ... (inaudible)

Can we just move on there ... (inaudible) ---
Quite possibly. In fact I think this was in fact done.

Do you know who did that? --- No, it would
have been ... (inaudible)

How do you know it was in fact done? ---
Because there were transcripts made of conversations
which we had a look at ... (inaudible)

(Inaudible) ... surely transcripts of the tape
recording would have been made available. --- Most
certainly.

And then it's quite obvious - are you saying that
in fact ... (inaudible) --- I would tend to think so
... (inaudible) ... included in the documentation which
I was asked to peruse.

And from that you then gathered ... (inaudible) -
-- Yes.

(Inaudible) --- (Inaudible) ... that was one
that we found.

(Inaudible) ... anything about that. Did you visit the flat? Let's put it to you. Did you visit the flat after Dr Haffajee's death? --- Yes, I did.

For what purpose? --- (Inaudible) ... retrieve as much documentation as possible, or any other exhibits.

Are you saying that the first access that you gained you didn't retrieve all the documents? ---

(Inaudible) ... a proper search for any other remaining exhibits which may have existed. And, as I indicated ... (inaudible)

/Who

Who accompanied you? --- It would have been Captain du Toit, Lieutenant Macpherson, probably Lieutenant Moonsamy, one or two other members from his section.

Apart from yourself was there any other person ... (inaudible) ... this investigation at any stage, either two days or three days or one day before the arrest? -- There could be ... (inaudible) ... in terms of specifically within Moonsamy's section that one or two more personnel were added.

But was not Lieutenant Moonsamy's section already involved in the investigation? --- Some of them were, yes.

But as a unit? --- Well, I would - thinking back I would tend to think that some of the members had to carry on with their normal functions. There was other work to be done too. So I cannot envisage the entire section being employed on that one investigation for a lengthy period of time.

Were any of those Indian or coloured or black police persons involved in the investigation, either from Lieutenant Moonsamy's section or any other section ... (inaudible) --- (Inaudible)

MR LAX: Sorry, Mr Taylor, I just want to take you back. You were talking about the documents and the stuff. Would you just confirm for us that you read all those documents, you read the extracts from Karl Marx and all that sort of stuff? Can you confirm that? ---

I confirm that I perused these documents, yes, and that in terms of the literature that was available I went through it, yes.

I mean these would have been photocopies of the /books that books that he would have had in his home. You wouldn't have kept the books, otherwise he would have been suspicious. So you would have photocopied the relevant stuff that he had in his home, and you would have had it there as a - as we agreed, you've just told us that, that ... (intervention) --- Yes ... (inaudible)

Two days before that ... (intervention) ---
Other than those which he had disposed of.

Ja. I put it to you basically, if I could put it in this way, that as a necessary part of your preparation for the impending interrogation you would have read through all of that so you were familiar with the stuff. Correct? --- Yes.

Now, in the inquest - and I am reading from the record ... (intervention)

CHAIRMAN: Sorry, can I just - I am sorry to interrupt. You mentioned that there was information ... (inaudible) ... explosives. You did say that. ---

(Inaudible)

(Inaudible) ... a few minutes ago you talked about that. --- (Inaudible) ... in terms of the explosives and explosive techniques, sabotage techniques, targets, and so on. There were rather copious notes in Dr Haffajee's own handwriting.

MR LAX: Sorry, I just want to take you to actual aspects of the inquest hearing, where you gave substantial evidence and were cross-examined for quite a long period of time. And in the inquest it was specifically put to you by Dr Cooper, who was appearing for the family of the deceased ... (intervention) ---

(Inaudible)

Ja. It was specifically - you discussed all the different books that you were referring to, because you /referred referred to the fact that he would have been charged for than banned literature or subversive materials. That's how you referred to it. And then you expanded on that and, just for Mr Wagener's purposes it's page 85 of that record - just so that you can find it again if you ever want to go back and look for it. He talks about the different books, and in fact you name some of the books there. The important thing I want to say and draw your attention to - he talks about various books and so on, and then he says, "Well, have you read it?" and you said, "No, I haven't," and in respect of each and every book and document referred you said that you hadn't actually read those documents, and now you've just told us that you did in fact read them. So, all I want to know is can you explain why you told the inquest you hadn't read those things, and you've told us that you

did in fact read them? --- I think the word that I used, Mr Chairman, was that I perused the documentation.

Some of it was very lengthy, as I recall, some of the publications and/or books, and it was impossible in the time to read them or study them in depth.

But you see, Mr Taylor, I covered that issue and that aspect, because I said to you, "You would have had to be familiar with the content," and you said, "Yes, I was familiar with the content." Now, the same question was put to you by Mr Cooper. "Could you give the Court any idea of its contents?" and the answer was no, you couldn't. So, you know, it's no good - I again put the same question to you. On the one hand you've told us that you would have - and I put it to you, that you would have had to be familiar with the contents in order to be able



/to canvass
to canvass that issue, which was the specific issue you were required to canvass. That's why you were brought in. How could you possibly have done that without having any detailed knowledge of the contents of the documents? --- Yes, I am in the rather invidious position of not having had access to the court record, number one, from which you are now quoting, and secondly, I would state that in terms of that which I answered 20 years ago, I don't think in all fairness I can be held to account for not being able to recall particular answers to particular questions.

Well, you must tell us if you don't remember what you said in the inquest 20 years ago. Don't spin us a line here. I'll read something else to you here.

MR WAGENER: Sorry, Mr Chairman, I - sorry, can you repeat what you've just said.

MR LAX: I said if he didn't remember what he said 20 years ago he must tell us, because he's contradicting what he said 20 years ago and what he's telling us now.

MR WAGENER: Sorry, I heard something else.

MR LAX: Yes, I'll give you an example of what you said 20 years ago and what you said 10 minutes ago. You told us that you had made yourself familiar with the literature, that you had perused it, that sort of language you used. Mr Cooper says, "Do you stigmatise the literature, that's the books, the various books, as subversive literature?" Your answer is, "Not knowing the contents of these books I couldn't." So you want to tell us now that in fact you didn't read the books, or peruse the literature, or make yourself aware of the contents, or that you did? Or were you mistaken then, or are you mistaken now? --- I would tend to think that in terms

/of an

of an in depth study ... (inaudible) ... there would not have been the time available to me to have done just that, but in terms of scanning through the books, noting what type of literature it was, I would have taken due cognisance at the time of that very point.

The other thing was that you were asked whether you had those documents in your possession by Dr Cooper, and you indicated that you didn't. In fact you would have had them in your possession, or copies of them. Can you explain that? Because in order to familiarise yourself with the stuff you would have had to have it in your possession. --- Was Dr Cooper referring to me

personally, have it in my personal ... (intervention)

Yes, your personally. You basically - at no stage in the inquest did you say to the Court that your role was to question him about the literature. It only came up as a side issue when you were recalled. --- I can't grasp the significance of the question in that regard.

The significance is quite simple really. You've told us that your primary purpose of being at the interrogation and being involved in it was to canvass the literature. --- Yes.

Specific instructions, you said. Those are your specific words. And that's not evident from the inquest at all, and in fact in the inquest the impression one gains, and the direct inference one gains, is that you weren't even familiar with the literature at all. So I am just pointing out the contradictions between what arises in the inquest and what you've just told us. -

-- Then I must abide by that which I said at the time of the inquest.

/MR WAGENER:

MR WAGENER: Mr Chairman, may I ask from the Commission as to was it canvassed with my client at the inquest why he was brought into the team, and what was his response to that at the time? Or was it not canvassed at all?

--- As far as I recall it wasn't.

MR LAX: It wasn't canvassed at all, but the point is the issue of the literature came up during the course of his cross-examination, and that's why I am dealing with it here. Okay, I'll give you another example. "What did you ask him about this book, particular book? You didn't ask him anything specific about the book. It was

mainly - the questions were mainly about his reading habits in general. So do you stigmatise that book as subversive literature? Not knowing the contents I couldn't." You see, it's clear from that, if you'll allow me to continue, Mr Chairperson. It's clear from that that what you've just told us about being brought in to question him about the literature, you didn't even ask him specific questions about the literature. It's clear from your answer in the inquest. So, you know, what must we now understand from what you've told us today? You've been quite clear, and the impression you've created is that you had a specific role to play in the interrogation, and for that purpose you prepared, and the impression created in the inquest is there was no such purpose at all. You asked him general questions about his reading habits. Do you see the problem? I mean quite obvious. ~~As I recall~~ As I recall - I will abide by that which I said at the time of the inquest, but as I recall, if my memory serves me right, I was brought in to assist in the interrogation in general, and - the arrest and the interrogation, and in that regard

/I was
I was asked to peruse certain documentation. That is the way I recall it now, 20 years on.

I accept it's 20 years later, but there's a fundamental difference between what you've told us and what actually happened. The 20 years' difference in time is irrelevant in that fundamental understanding. But I think I've given you an opportunity, you've tried your best to explain it, maybe let's just move on. Do you want to put anything else at this stage?

MR GOVENDER: Mr Taylor, you said you brought in specifically for the purposes of the interrogation, is that right? --- The arrest and the interrogation.

Why were you particularly chosen? --- Well, I've already indicated. It was Captain du Toit as group head, it was his prerogative to select members from the three different sections under his command, and why he particularly chose me, I can't comment on that.

Was it perhaps because you're very good at the job of interrogation? Was that the reason? --- Not necessarily so, because I had only - at that stage I had only had nine months' experience with the Security Branch.

Yes. And in a matter like this, with a person like Dr Haffajee, from all your reports, the documentation that you had ... (inaudible) ... why choose a person who's been barely nine months to do the interrogation? There must have been some reason, particularly ... (intervention) --- The particular reason, I can't comment on it. I can't comment on Captain du Toit's thoughts at the time. But again, thinking back, I would tend to think it would be a question of the availability of different manpower.

You said there was a shortage of manpower, that's /why you why you were - a possible reason. --- Possibly, yes, because one must remember that the members in all the different sections were engaged in many other things.

How many people were involved in the arrest of Dr Haffajee? --- I can recall Captain du Toit, myself, Lieutenant Macpherson ... (inaudible) ... Captain Moonsamy and some of his members.

(Inaudible) --- (Inaudible)

(Inaudible) ... including yourself about approximately six to seven other people, isn't it? ---

In all probability, yes.

Surely that was sufficient manpower to interrogate Dr Haffajee. Don't you agree ... (inaudible) ---

Yes.

So ... (inaudible) ... bringing you in there must have been some purpose, because they had enough personnel to do it. --- I'm afraid you'd have to ask Captain du Toit that.

CHAIRMAN: I think he's given his answer. He doesn't know what Captain du Toit was thinking at the time.

MR GOVENDER: The other point I want to canvass with you, Mr Taylor, you said earlier on that Dr Haffajee became aware of the Special Branch's interest in him. You said possibly through the informer he became aware of that. You have no information about how in fact he would have in actual fact become aware that you had an interest in him? --- No, I don't.

Why do you say that, that he was aware of your interest. --- I may have known at the time, but I cannot recall it now. But I know that as a virtual certainty that he became aware of the investigation to a certain degree. That was the contributing factor which

/led to

led to the decision to effect his arrest. If that had not been the case, as I understand it, the investigation would have continued.

Surveillance would have continued. ---

Surveillance would.

And there would have been no arrest. --- There would have been no arrest.

You say you can't remember as to what was reported to you that indicated that he in fact did become aware that you had an interest in him. --- No, other than that it was made clear to us that the person was aware of the interest.

And had any indication been given to you by other officers as to how they had come to know that he had become aware of it? --- It could have very well have been, but I cannot recall.

You cannot recall? --- No.

But you say ... (inaudible)

CHAIRMAN: Sorry, Mr Govender, he's made it clear that he doesn't remember this aspect. I don't think you should belabour the matter any longer.

MR WAGENER: And in ~~all fairness,~~ Mr Govender, really Mr Taylor has said on a number of times that no reports were made to him as if he was part of that very process. He's said that over and over, that certain things became known to him during certain morning sessions, nothing more. He's said that a number of times.

MR LAX: I want to just turn briefly, Mr Govender, to the arrest. You've begun to touch on it, and I just want you to try and tell us what happened during that arrest. Who planned it? Once you were brought in you must have

/been part

been part of the planning of the arrest. ---
Correct.

So who was involved in the planning of it as far as you can remember, and where did it take place, and

what did you decide? --- It was taking place, first of all, at the Security Branch offices in Fisher Street.

The entire team in all probability would have been involved in the planning.

Sorry, just let's recap. Who was the entire team?

--- Captain du Toit, myself, Lieutenant Macpherson, Lieutenant Moonsamy, and various members of Lieutenant Moonsamy's section, the identity of whom I cannot recall.

Approximately how many people, if you were going to try and estimate? More than five? --- The scene of arrest entailed blocking off a number of streets, as I recall, amongst other things, and surveying the route which Dr Haffajee normally followed on his way to work.

This would have entailed the use of at least - again I am speaking under correction - four or five vehicles.

What was the plan? Well, the plan was to, as I recall, see him depart his place of residence, and on the route to work to halt the car and to effect an arrest.

Had you chosen a specific place to do that in? -- Not in particular, as I recall, other than that I think the arrest took place in Stanley Copley Drive, and the plan of action would have been implemented at Captain du Toit's command over the radio.

How did you in fact effect the arrest? Who was in -you were in the vehicle that forced him to stop. ---

Yes.

Were you driving or was Captain du Toit driving?

--- Captain du Toit was driving, I think.

/Were you

Were you the passenger? --- I was the passenger.

What vehicle would that have been? --- It would have been Captain du Toit's vehicle.

Do you remember what that was? --- It was a white Granada, I think.

A white Ford Granada. What did you actually do? Did you drive alongside his vehicle, did you try and wave him down, stand in the middle of the road? We haven't got a clue at this stage. --- Again I must be led by my memory in this regard. The plan was to drive alongside him and to indicate that he should pull off the road. There would have been another car assisting in terms of back up and in terms of blocking the road behind Dr Haffajee's car. Who that was I can't remember. I seem to think that he ignored the gestures to pull off the road, and that Captain du Toit had to actually swerve his car in front of the car of Dr Haffajee. That's as I seem to recall it.

So you basically forced him off the road? --- Yes.

And then someone would have followed up behind to block his escape from the back. Who was in the other car? --- I can't recall.

And where would the other three cars have been?

--- They would have been positioned on different sections of either Stanley Copley Drive or other roads in that vicinity, just in case Dr Haffajee took an alternative route.

Or managed to elude you. --- Or managed to elude us, yes.

What happened once you'd swerved and forced his car

/off the
off the road? --- I approached the vehicle, I think, introduced myself, and told him that he must vacate the vehicle, and that he was being arrested, or words to that effect.

Did you produce an appointment certificate or ... (incomplete) --- I would have done, yes.

What was his reaction then? --- His reaction was to start protesting most volubly, and refused to vacate the vehicle at first. I opened the door and he got out, and by that time I think Captain du Toit had come to my assistance.

When you say come to your assistance, why did he have to come to your assistance? --- In effecting the arrest, because he was meant to be at hand. And by then the person was refusing to accompany me ... (inaudible - end of Side A, Cassette No 2) ... Captain du Toit's car, and we had to use a fair amount of force in getting him into the vehicle.

You put him in Captain du Toit's car. ---
That's right.

How did he resist getting in? What did he do? -- (Inaudible) ... struggling, and putting his arms or his hands on the roof of the vehicle, having his legs splayed.

You were two very large men at that time of your lives, both quite strong. --- I don't think I was ever a large man - medium size probably.

Very well. How much did you weigh at that time? --- Probably in the region of 78-80 kilograms.

You were about 96 kilograms in '92, if I remember correctly, according to the inquest record. That's what you told them there. --- 92 kilograms.

/Captain

Captain du Toit was a large man. He weighed about 230 pounds. He was about six foot two, six foot three.

--- Yes.

That's what the inquest record says. --- Yes.

And Dr Haffajee was 40 - I think 46, if I remember correctly from the inquest - 46 kilograms. Sorry? 49, I beg your pardon. I've got the number transposed in my memory. 49 kilograms, a wiry, thin, little chap. Correct? --- Yes.

And between the two of you you could easily have just picked him up and put him in the car. Physically restrained his arms, physically restrained his legs, and just stuck him in. ~~Well, this~~ is what eventually transpired, but, Mr Chairman, in my experience, both as a member of the uniform branch and subsequently the Security Branch, when effecting an arrest, despite the physical appearance or build of any particular individual, if that person decides to resist arrest one does have a certain amount of difficulty in overcoming that resistance.

Yes. --- Undoubtedly.

Why didn't you just handcuff ... (intervention) -
-- I've experienced that even in the case of females.

Sure. Why didn't you just handcuff him - that would have sorted his arms out - and then just hold his legs and stick him in? It would have avoided any problem. --- I don't know if we ... (intervention)

It would have been very simple. --- I don't know if any of us had a pair of handcuffs available at that stage.

But you were going to effect an arrest of somebody without handcuffs? That's highly unlikely. --- In /many many instances it does occur, because normally speaking - I never carried a pair of handcuffs around with me, I know that. And many of my colleagues didn't.

Ja. --- It could be so that we didn't expect any form of resistance.

Did he injure himself in any way during that initial arrest? --- Quite possibly. I know this was very much a debating point at the time of the inquest, about the incident that morning and the incident later that evening at the harbour, where something similar also transpired in terms of injuries which Dr Haffajee had sustained, in the form of abrasions and also bruises.

How would he have injured himself in the first attempting to get him into the car? --- Well, just by, amongst other things, banging his shins up against the door, either the door or the floorboard of the car.

Even once he was half into the car I can remember he was semi-prone, and he could have hurt himself, as we indicated, in terms of the built-in radio on the console in Captain du Toit's car.

You will recall that there was quite a serious bang to his head, serious head injury. --- I don't recall.

Well, it's noted in all the reports by all the pathologists who gave evidence in the case. Quite a

striking feature of the injuries was this fairly large wound to his head. --- Well, I would accept that if it is recorded as a finding.

Yes. And you didn't notice any wound to his head?

--- No.

And you said as much in the inquest. At any stage that is? --- Did I notice an injury?

/Yes. ---

Yes. --- No.

And he didn't behave in a stunned sort of fashion, or like he was concussed? --- No, not at all.

You would have known about that because you played rugby at the time. --- Yes.

So you would have known what people who are concussed behave like. At no stage during the questioning, and up until the time of Dr Haffajee's death, did you ever notice any head injury? --- No.

What was his hair like? --- Very long and rather straggly.

When you say very long, was it shoulder length, longer than that? Was it in a pony tail? --- No, it was hanging loose. If I remember probably down to shoulder length, or just above shoulder length.

It was quite trendy at that time to wear your hair like that. --- Yes.

As it's now become again. --- That's right.

MR WAGENER: Let the record show that none of us doing this.

CHAIRMAN: I'm afraid so.

MR LAX: His hair wasn't very thick though. --- I don't know.

You can't remember? --- I can't remember.

What the various medical people said was that that injury would have been pretty obvious to anybody, and neither you nor Captain du Toit, who gave evidence at the inquest, could give any explanation why you didn't notice that. --- Well, perhaps in that event it wasn't so obvious.

You see, the medical evidence was that it would have

/been obvious been obvious to anybody, and you conceded that, but you couldn't give any explanation why. --- I conceded that the medical evidence indicated that, yes, but I certainly cannot recall having seen such an injury.

Ja, you see, you told - you told the inquest he didn't have any injuries on him at all, not a single injury that you could even vaguely... (intervention) - -- Which I perceived.

Ja. --- Yes.

And you couldn't explain why you didn't see any of these injuries.

MR WAGENER: Mr Chairman, any I ask this? Is there any evidence of exactly when the injuries occurred? Is there any evidence when Mr Taylor saw the last time, when he was in his presence the last time? Are there any evidence to those effects in the inquest, because if so in fairness put it to him.

CHAIRMAN: In terms of the inquest the last time Mr Taylor says that he saw the deceased before he died was roughly at midnight when, on his version, they stopped questioning. And he was pretty much with him from the time of the arrest until that time, almost all

the time, except for a few brief moments where he might have gone out of the room for a few minutes here or a few minutes there. But other than that he was with him almost all the time. Is that correct? --- I don't think that I - it's totally correct to say that I was there present all the time, no. There would be a number of interruptions where I was not present.

But there's evidence in the inquest which says that you accompanied him to his cell, you checked out the cell

/first, you first, you led him into the cell, or you saw him being led into his cell, and that you observed that he went and sat on the bench in the corner there, and you were satisfied that at no stage from the time of his arrest, and throughout his interrogation, had he ever in any way that you could see, injured himself. And you were cross-examined very substantially on this by Dr Cooper. He said "Did he at any stage fall down? No. Did he sustain any injuries whilst in the office? No. Did he fall down the stairs? No, he did not. And in the charge office did he sustain any injuries? No. And from the charge office down to the cells did he sustain any injuries? He did not. Did he trip or fall? He did not." And so it goes. "At no stage was he made to stand, and at no stage did he fall down. He wasn't made to run round the room? No. Did he bump against anything? No." The picture that you've painted here is that the man, other than at the time of his arrest, where there was a bit of a struggle, I understand, getting him into the car ... (intervention) --- And subsequently later that evening down at the harbour.

Down at the harbour. But when you put him into his cell as far as you were aware he wasn't complaining of any injury, he didn't have any visible injuries on his body at all, and you fully expected to see him ... (intervention) --- The following day.

... alive and well the next day when you went to resume the interrogation. --- Correct.

MR LAX: You see, just for Mr Wagener and yourself's sake, the man was in your custody. He displayed some fairly severe injuries in the post-mortem, the head one

/being the being the very severe one, and the other one was to his chest, to the sternum area, and numerous abrasions and - well, we could go through the whole list if you like, but you will have recalled the - you would have been taken through that in the inquest. --- I was ... (intervention)

I mean there were a striking number of ... (incomplete) --- Captain du Toit and I had to account for bruises as small as a pin head. I am well aware of that.

Ja, but some of the bruises were large and substantial. That's pretty evident. When you talk about 5cm by 5cm that's quite a big bruise.

In fact according to the state pathologist, Dr Gordon, there were between 40 and 50 bruises and abraded bruises on his body, and there was a wound to his head which had - I forget what word they used, but clearly there had been bleeding. There was an extensive extravatation of blood in the subcutaneous tissues and the muscles of the scalp covering the skull, but there was no fracture of the skull. So there was an injury to

the head which caused bleeding, and there were 40 to 50 bruises and abraided abrasion over the body. That is according to the state pathologist, Dr Kahn, and according to the independent pathologist, Dr Lourens. You see the fundamental difficulty that we have, and that Dr Cooper had at the time of the inquest?

Can I just add one thing, just for Mr Wagener's benefit? I am sure as an ex-State lawyer he will be very familiar with it. The focus at an inquest is not on how the injuries happened. They didn't even go into that

/issue.

issue. The focus on how the death happened, and the Magistrate in his finding makes it very clear that he wasn't entertaining any canvassing of how the injuries might have happened, but only looked at the question of how death happened. I would tend to disagree with that. In fact the whole question of how these injuries could possible have been sustained was canvassed at depth by all three advocates representing the family. And, as I said a moment ago, Captain du Toit and I had to account for numerous injuries or bruises of which we had no experience. I mean I can recall when it first came to our knowledge that during the post-mortem so many injuries had been located or traced, we were absolutely stunned.

MR LAX: Ja, I read that evidence in the inquest.

CHAIRMAN: You see, for example, you didn't mention in your evidence-in-chief in the inquest that there had been any struggle in the vehicle other than pushing him into the vehicle when he had his legs on the side of the door and tried to prevent it. And it was only in

re-examination by your counsel after you had been shown photographs of the post-mortem, that you suggested that he probably banged his head on the console of the car, which is the radio between the two front seats. ---
That's correct.

And you didn't mention it in your examination-in-chief. --- Quite possibly.

You are satisfied that was a satisfactory answer, that you wouldn't have remembered an incident like that, where somebody - you talk about a struggle outside the vehicle, and then you talk about subduing him and placing him in the vehicle. --- Yes.

/And then

And then you suggest later, when it's indicated that this man had a bleeding injury to his head, that, "Well, it probably happened in the vehicle. He banged his head on the radio." --- Well, that's possibly the very first time that it came to my knowledge that he had such a head injury. I can't recall.

Because you are aware from the document that's been given to you this morning that the allegation is that you were involved in a sustained assault upon his person. --- I deny that in total. Totally.

And you're satisfied that these injuries which he did sustain, we know he sustained, were sustained during the course of placing him into the vehicle? You're satisfied with that? --- Either that morning, or possibly then that evening as well, as I indicated in the inquest.

Can we just talk about - the allegation in that statement is that he was naked during the time that you interrogated him. What do you say about that? ---

No, never in my presence as far as I can recall.

Did he ever remove his clothing, his shoes, his socks? --- I can't remember. Not at all. His shoes could possibly have been removed, or alternatively the shoe laces. His belt, tie if there was one.

There was one actually. It was removed during the course of the interrogation. That's clear from the inquest evidence that you gave. --- Right.

As was his jacket. --- Uh-huh.

When you - let's look at it another way. At the time that you questioned him, and you were present while he was being questioned, he wasn't undressed in any way

/whatsoever

whatsoever other than the removal of his tie and his coat? --- As I recall, yes.

And at the time you took him back to his cell? -
-- He would have been ~~fully clothed~~, and either have his jacket on or have it over his arm. I can't remember.

Did he have his shoes on? --- Yes.

You see, one very interesting thing that no one seems to have canvassed or taken account of, that his feet - when they did the post-mortem his feet were filthy. And that's an observation by the doctors, but no one ever canvassed it at the inquest. How did that happen? --- I don't know.

You see, the fact that his feet would have been filthy would have been consistent with him being made naked and interrogated naked. --- Or have his shoes and socks off.

MR WAGENER: (Inaudible) ... sorry, if one's feet is dirty it doesn't amount to being naked, Sir. Sorry, it

is not a fair question.

CHAIRMAN: We'll decide that. I'd like him to answer it anyway. --- That could be so.

(Inaudible) --- That could be so. I have no knowledge of what may have transpired during my periods of absence, number one, and secondly, it could be so that the deceased, Dr Haffajee, may have dirtied his feet in the cell subsequent to having been placed in the cell. I have no other comment than just that.

Let me tell you what came out in the inquest was that the cell was spotless. There was no grime, no dirt on the floor of the cell at all. It was utterly spotless when it was examined by Dr Gordon when he came to remove

the body. It was noted by him specifically, so your explanation doesn't make sense at all. --- Well, other than passing that sort of comment I can't comment more fully on that which you apparently allege.


Well, you see, if the only time that his feet could have got dirty was when he was in his cell, and the cell was spotless, it doesn't make sense. You'll agree with that? --- Or alternatively then perhaps during my periods of absence when I wasn't present. But as far as I recall he was never barefoot in my presence.

And you can't account, other than for the two very short struggles, and they were very short, no more than two minutes each, how all those other injuries came to be on his body? --- No, I cannot.

And when you are confronted with a statement made by a colleague of yours which suggests that you personally inflicted injuries consistent with the

injuries that appear in the post-mortem report, what is your response to that? --- I reject that totally. There are obvious and various discrepancies which I perceive here. Amongst other things I cannot recall - I may be wrong, but I cannot recall, in terms of this one allegation, vis à vis a toilet - I cannot even recall there being a toilet in the room concerned.

What other aspects of that statement do you disagree with? --- If we look at the introductory paragraph, paragraph three on page one, I would disagree with the statement made there in terms of that which was ostensibly concentrated in terms of interrogation. I would also point out that the section 10 of the Internal Security Act referred to there could only refer to the Internal

 /Security Act of 1982, which, apropos this time frame, does not apply. The statement saying, "One of the ways of obtaining the information we wanted was to assault or torture the suspects. This took several forms, psychological breakdown, sleep deprivation, continuous interrogation over a period of days." That may be this particular person's interpretation of events, but certainly not mine.

So are you suggesting that that sort of thing didn't take place? --- That was not a - certainly not a modus operandi of members of the Security Branch with whom I was involved.

You mean 3 (a) and (b)? --- 3 (a) and (b), yes.

Notwithstanding the fact that several senior Security Branch officers, including General Bertus

Steyn, have made amnesty applications in which they've said that people were actually murdered. --- I cannot comment on the content of their amnesty applications and the knowledge which they bore regarding certain events.

So, do you have knowledge of anything relating to that? --- Not at all.

Do you read the papers? --- I read the papers, yes. I've become aware subsequently in terms of those investigations.

You know that a number of Security Policemen have made sworn statements in which they have stated they abducted and arrested people and killed them. --- I am aware of that, yes.

And in that context, and understanding that to be the case, do you find it totally improbable that this 3 (a) and (b) may have taken place as a matter of routine? /--- Never

--- Never in my experience. Most certainly not. That it has taken place, occurred, in other investigations, I concede that that could be the case.

MR WAGENER: Mr Chairman, can I ask you, as the lawyer for General Steyn as well, where in his application does he say he murdered someone in order to obtain information from them?

CHAIRMAN: No, I didn't say that he murdered them. I said several Security Branch policemen, including General Steyn, have made applications to the effect that people were killed. General Steyn signed documents after the incidents took place, before or after the incidents.

MR WAGENER: Okay, but what is said in this statement, Mr Chairman, the deponent, then unknown deponent says here, "One of the ways of obtaining information are the following," and that is - Mr Taylor's denied that. So, in all fairness, what General Steyn did for other reasons at another time it's not connected to what is said in this paragraph that we're dealing now with.

CHAIRMAN: The point I am trying to make is that from what we know, from what we have learnt over the past months about the modus operandi of a number of senior Security Policemen, this sort of thing is not only probable, but likely, as a routine information extraction procedure. --- That may be the case in the case of certain individuals, but it was never my approach to the situation. Shall we continue with dealing with the rest of these paragraph?

Yes. --- ~~Again paragraph~~ four, the person making this statement would be speaking from his own experience. I cannot comment on that, other than to say that, "These

/assaults
assaults by members were carried out with the full knowledge of the commanding officers." I would seriously question that statement, in the sense that a person like, as he then was, Colonel Steenkamp, F M A Steenkamp, the commanding officer at Durban, and later a general, was somebody in my experience who was totally, but totally, opposed to this type of technique. Paragraph five I cannot comment on. That may be so in terms of that occurred during the duration of the investigation. Paragraph six, in terms of lectures having taken place at his home twice a week in the

evening, and three or four other people having attended. That was, amongst other things, some of the information which was brought to my attention. And in terms of the two girlfriends mentioned here, the first name doesn't - I cannot recall that name, but the second one, yes. Paragraph seven, "A few days after commencing our investigations Dr Haffajee's flat was broken into, and I believe that this was done by Captain Jimmy Taylor and Warrant-Officer Macpherson." Vic Macpherson at the time was also a Lieutenant, so there's also a discrepancy there. I was a lieutenant, not a captain, and I most certainly was not engaged in the breaking into his flat. As I recall an actual break-in or hostile entry of any kind wasn't necessary in terms of the fact that Lieutenant Macpherson and Lieutenant Moonsamy had virtual free access to the premises through the informer.

Can I say this much though? They do mention that they had the keys, so the work break-in is not strictly correct. --- Yes.

Whatever the witness says. --- Yes.

/I mean

I mean it wasn't a break-in, it was - it might have an unlawful entry, or an unauthorised entry. ---

It would have been - the implication there is that it was an unlawful physical entry.

Ja. --- But I was certainly not involved in anything like that.

"Papers in the flat were photocopied and the originals returned, and the above also knows ..." that is as I remember things, as I have indicated to the Committee earlier on. Paragraph eight, I would go along

with that. Paragraph nine, I would go along with that.

Paragraph 10, the 2nd of August - as I recall I think it was the 3rd of August 1977 that this event, the arrest, took place. The words used here, "We effectively kidnapped him," I would deny most strenuously. It's not a question of kidnapping at all, it's a question of executing a lawful arrest. "At Brighton Beach Police Station within the complex there was a huge building like a warehouse." I am totally unacquainted with premises of that nature. "We took Dr Haffajee to that building," which would appear from this sentence to be a separate entity from the police station, "Where there was a table and chair. Captain du Toit had his files with him, together with all other documents that we had taken earlier from Dr Haffajee's flat ..." (inaudible - end of Side B, Cassette No 2) ... the place where Dr Haffajee was interrogated is an office in the general office complex of the Brighton Beach Police Station, and it was then. Captain du Toit having all files and all documents, that's a matter for conjecture. I cannot comment on that.

Well, did he have lots of documents with him? Did
/he have
he have his files with him? --- He would have had
the current investigation file, amongst other things,
yes.

Ja, and the documents that he obtained - well, you
had them with you. That was your earlier evidence. -
-- At the time of the interrogation?

Ja. --- Again possibly. Possibly. I am not
too sure on that. Otherwise they would have been back
at the Security Branch offices. All his clothing being

removed, that he was naked when questioning began. I deny that. "Questioned long and vigorously, but would only talk about himself and his family background. He divulged nothing at all." Dr Haffajee was most uncooperative. In terms of that which he did divulge during the course of the day I cannot recall. In terms of my having assaulted him by slapping him, and then randomly punching him, definitely not. "Later in the day Major du Toit," suddenly he becomes a major now, "started to assault Dr Haffajee, hitting him on the arms, legs, private parts." He never did anything like that in my presence. "Broke for lunch. Gave Dr Haffajee his lunch box and asked him to eat. Colonel Coetzee walked in and asked of du Toit whether there was any progress." I can't comment on the conversation between those. I cannot recall - I cannot even recall Colonel Coetzee having visited the office.

Who was Colonel Coetzee? --- He was Colonel Jock(?) Coetzee, who later became a general, and at that time he would have been about the third or fourth most senior officer at the Security Branch.

Is it likely that he did come there, although you may not remember? --- It's possible. Colonel Coetzee having asked the person making the statement to give

/Dr Haffajee

Dr Haffajee his underpants, I cannot comment on that. I never perceived anything of that nature to my recollection. Colonel du Toit having called me outside, and having been absent for 10 minutes I came back and the assault began with more intensity. The fact that I could have been called and had a discussion with Colonel

du Toit, it is quite possible that this transpired a number of times during the course of the day, where we had discussions in other parts of the police station. But I deny emphatically the fact that I returned and the assaults continued more intensively. "Dr Haffajee was very bruised all over his body, but was not bleeding." I cannot recall having ever seen a single bruise, and that's now in terms of the time of day which this person is alluding to, but in my experience if a person does suffer injury which eventually results in a bruising of some kind, that only manifests itself at a later juncture, perhaps even a day thereafter. My having taken the person to the toilet, dragging him by the back of the neck, stood by the toilet door, "And I saw Jimmy Taylor open the toilet pan and shove the ..."

Definitely not. Most certainly not. As I said earlier on, I don't have the ~~able to recall~~ there having been in the toilet either in that office or in the vicinity.

But the events described in that sentence there in paragraph 13, definitely not. Likewise the follow-up sentences in the paragraph. The fact that I and Captain du Toit assaulted Dr Haffajee. Definitely note. This person having left the Brighton Beach Police Station and going to a shopping complex in the area. Possibly. What often did occur, and I am alluding here to the opening sentence of paragraph 14, is

/that anyone

that anyone on the investigation team, or then somebody like Captain du Toit, would have possibly sent somebody out to - because it was after hours - to get something to eat from a local cafe or restaurant, both for the members of the team and the person being interrogated.

"When they came back Taylor kicked Dr Haffajee's buttocks, and the momentum pushed Dr Haffajee forward and he hit his face against the floor, collapsed on the floor. The assaults continued on questioning." Not at all. I deny that most emphatically. Paragraph 15, a conversation between the person making this statement and Dr Haffajee. That could have taken place. That the interrogation continued until midnight. Yes. Excuse me. (Pause)

(Inaudible) ... sip of water. --- (Pause) My apologies.

MR WAGENER: Can I ask, Mr Chairman, we've been booked on a flight that has us leaving - well, the flight's at half past four, so we needn't take a long lunch. As long as we can make our flight we would appreciate that, so we can do with a short lunch hour.

CHAIRMAN: Yes. I would say that there's no chance of you missing your flight. But let's have a short break anyway.

MR WAGENER: What we can do, if it is in order with you, we can have a - say, a half-an-hour's lunch break now, and start at five past one again, or something like that.

CHAIRMAN: All right, that's fine. Okay. So you remain under oath, and we'll resume in about half an hour.

LUNCH ADJOURNMENT

/ON RESUMPTION:

ON RESUMPTION:

JAMES BROUGH TAYLOR (Still under former oath)

CHAIRMAN: We were just traversing that copy of that affidavit which you have there. --- I seem to recall we were at the end of paragraph 14.

That's correct. --- Just apropos that last sentence of paragraph 14, "Up to that point Dr Haffajee had not revealed any information." To a certain extent that could be correct, but on the other hand I seem to recall that there were certain admissions that he had made in terms - as I recall, in terms of discussion group sessions in his flat with regard to Westville University students, and obviously he had also done a pointing-out of documentation and books which he had disposed of in the Durban Harbour. So perhaps that sentence in its own right is not entirely correct, but in the main the amount of information which he had divulged at that stage was minimal.

And then if I could put it to you this way. You hadn't received any major breakthroughs. --- No.

There was nothing that you didn't already know about more or less, besides maybe the dumping of the books. --- Correct.

The rest you'd already acquired through your surveillance and so on. --- Yes. And then with regard to the notes on explosives and sabotage techniques, he hadn't elucidated at all on those issues.

Just as a matter of interest, while we're on that issue, did you tell him that you had a source that was very close to him? --- No, not at that stage, not at all. In fact the outlook was that we must do our utmost

/to protect

to protect the identity of the source. Subsequently, of course, it became known to his family, and especially during the course of the inquest, as I recall. But at that juncture definitely not. Continuing with paragraph 15, that which is alleged between the person making the statement and Dr Haffajee, that first paragraph I cannot comment on. It could actually have transpired that these words were exchanged. "The assault carried on until about midnight." I would deny that there was any assault. The interrogation carried on until - perhaps not quite midnight, 11.30 or thereabouts. I seem to recall that by midnight he has already been placed in his cell, and that had been done after a visit to the charge office. "We decided to discontinue the interrogation."

I don't know who "we" is that he's alluding to, neither the others who put his clothes on or brushed his hair back. I have no knowledge of that. Equally so the statement that in - it would appear that after or during having his hair brushed back there were, "Bruises and lacerations on the side of his body from kicks and blows." Definitely not to my knowledge. Of course the taking him into the charge office, that did occur. Him being presented with a can of Coca-Cola to drink. Quite possibly. And that he was then in fact placed in the cell after, I think, both Captain du Toit and myself had inspected the cell, together with the charge office personnel, and we then departed. Paragraph 16, the words alluded to there in terms of the conversation between - another conversation between the person making the statement and Dr Haffajee, it could have transpired. He goes on to say, "Doctor, they're giving you a two-hour break and then they will be back, so you

/"have two

"have two hours to think about what you want to say. That was not what was going to happen. I only said that to make him start thinking," so I cannot comment on what this person had either said or thought, but - other than to say that it was definitely not the intention of returning within a space of two hours. I mean by that time I think everybody was in need of a bit of sleep.

Wouldn't it be part of a tactical strategy on the Special Branch's part to make a prisoner think that you're going to come back in two hours to create some sort of psychological apprehension or ... (incomplete)

--- Well, again in terms of what this person has said here, this is perhaps - or could have perhaps been his line of thought. He says, "I only said that to make him start thinking." That could have been his personal interpretation, but it ~~is~~ certainly wasn't ours. He goes on to say, "The next morning I met Jimmy Taylor on the landing at the police station." I would tend to disagree, or just try to point out that if such a meeting and discussion between myself and the person making the statement had taken place, the landing referred to there is probably one of the landings on the different floors at the Security Branch offices in Fisher Street.

I think that's what he is saying, because he then talks about going to Brighton Beach. --- That's correct.

So I think he ... (intervention) --- The word police station there most probably ... (intervention)

Ja, it must have been at Fisher Street in the morning. --- Ja.

Which is where you would have reported anyway the
/next morning.
next morning. --- In the morning. But now at this
juncture I would just like to indicate that between
having left Brighton Beach Police Station and this
conversation at 8 o'clock the next morning I had, at
approximately - if I remember correctly, the early hours
of the morning, 3.30 to 4.00 am, received a telephone
call at home, waking me up, from - again I think I'm
correct if I say it was Colonel Stadler - informing me
of the fact that Dr Haffajee has been found dead in his
cell, and that I was to proceed to the Brighton Beach
Police Station. And I must have arrived there at about
4.30 probably, I don't know, and, together with Colonel
Steenkamp, the commanding officer, Colonel Stadler, who
was lieutenant-colonel then, Colonel Coetzee,
Lieutenant-Colonel Coetzee, Captain du Toit, myself, and
Lieutenant Macpherson, as he then was. I cannot recall
the sequence of events in terms of the times and arrival
of different people, personnel, but I seem to think that
some members of Lieutenant Moonsamy's section would also
have been present, but not all of them. Dr Gordon, I
think - no. Yes, in fact I think I was the one who
actually went and picked up Dr Gordon at his home and
transported him to Brighton Beach, if I remember
correctly. So he would have been there. And those were
the sort of events which took place then, and of course
then Colonel Steenkamp would have already made the
decision and given the order for members of the CID to
commence their investigations, together with the
pathologist involved. The inquest investigation was
dealt with, as I seem to recall, by members of the CID,

possibly somebody attached to what was then known as the Somtseu Road Murder and Robbery Unit, or alternatively CID members /from Brighton from Brighton Beach, but I am not too sure on that point. To continue with paragraph 17. "Went into the office where I saw Major Benjamin, Warrant-Officer Govender." Those sort of events, I mean they could quite easily have transpired. Not knowing off-hand who the person is who's making these statements, these quite easily could have been the facts. "On his return - Captain du Toit went out. On his return he told Jimmy Taylor, Macpherson, Warrant-Officer Govender and I to accompany him to Dr Haffajee's flat. We went to the flat, searched it." Yes, I'll go along with that. "Macpherson did something in the ceiling, and I presume removed the bugs." That could have taken place, I don't know. I can't recall it. "Whilst we were searching the flat Dr Haffajee's fiancée, Shayida, walked in. She already knew about the death of Dr Haffajee and she was hysterical. Dr Haffajee's brother walked in and one of the others told him to go to the mortuary in Gale Street." Again quite possible. "Two days later du Toit called us all back into his office," paragraph 18. "He told us that we might be called to give evidence at the inquest, and we should all have our stories prepared. I left the office and was told not to go out." I can't comment on that, perhaps not having been present, but I do know at a certain stage that both Captain du Toit, and of course Colonel Steenkamp, had instructed everybody involved in the investigation to make an affidavit of some kind, so that did transpire. "In the afternoon I was called back and told I was to say that

Dr Haffajee confessed that there was DLB at Durban Bay, and that we had all gone with Dr Haffajee to Durban Bay.

He was going to point out the area of ground where he had

/hidden

hidden documents on the manufacture of explosives and chemical bombs and instructions on how to evade interrogation." I can't understand the context in which this paragraph is actually phrased, in the sense that there was an actual visit during the late evening of the 3rd of August to Durban Harbour. He says Durban Bay. One would have guessed this is the harbour. So that did occur, and I've already touched on the aspect of literature which he is allegedly supposed to have dumped there according to that which he had divulged to us. "In the process of trying - I was to say that Dr Haffajee was not handcuffed and that he tried to escape.

In the process of trying to restrain him he lashed out with his hands. He had kicked out and hit his body against the car. The scuffle would have lasted for approximately five minutes, and that is how he sustained his injuries." I don't know who is the person he is referring to as having instructed him to say this, but - I mean this event did take place. And whether the person concerned actually accompanied us that evening I can't say, not knowing the identity of the person concerned. The fact that the struggle lasted approximately five minutes, I mean five minutes is quite lengthy period of time. I would dispute that. Probably, as I recall, it was far shorter than that. The impression I got at the time was - again Dr Haffajee had resisted being placed in the vehicle after having

pointed out the spot, and he was shouting at the top of his voice, and the impression I got was he was trying to draw attention from people in the vicinity to his predicament. But to say that the struggle lasted for five minutes, that's totally out of the question. I would /confirm confirm that as perhaps anything between one and two minutes. "To say that we had taken Dr Haffajee to Brighton Beach Police Station at about 2.00 pm and I had been instructed to get back to Fisher Street. Warrant-Officer Govender was given his own version. This must have been very close to mine." There's something wrong here in terms of that which the person making the statement is saying, in that in terms of the time frame, 2.00 pm, that was the afternoon. That could never have been the case. "At the inquest the finding was that he had died by hanging. ~~No evidence~~ of assault on the deceased was led." That is totally incorrect, in that there was a lot of evidence led in terms of the injuries on him were disputed and debated for a lengthy period of time.

But if I could just draw your attention - in fact there was no evidence of an assault on him. No one admitted to the actual assault. --- To the carrying out of the assault?

Yes. --- Yes, that is correct.

I think that's what he's getting at. --- Oh, I see. Yes. "I find it difficult to believe that he killed himself in the manner in which it is alleged that he died. I have no proof that this is not what happened, but I don't believe that Dr Haffajee would have taken his own life. He was very strong

psychologically." If I can just comment on that point.

That also came into contention at the time of the inquest as I recall, in that either by a member of family or some other avenue an allegation was made to the effect - and this was put forward to both Captain du Toit and myself, to the effect that after

/Dr Haffajee

Dr Haffajee had been taken to his cell at some or other stage members of the Security Branch allegedly got hold of the cell keys, got access to the cell, and hung, physically hung Dr Haffajee up. Now, that was debated at length, and the person giving evidence on that score, notably the charge office sergeant at the time, the uniformed member who was in charge of the cells and the protection of the prisoners incarcerated in the cells, gave evidence to the effect that this could never have taken place, that the cell keys were totally under his control at all times until he himself personally, at approximately 3.00 am or 3.30 am, I don't remember, discovered the body of Dr Haffajee hanging in the cell.

And, as I remember things, the witness concerned there was totally unshaken in terms of his evidence and in terms of a very severe cross-examination, and that point of argument was eventually allowed to lapse.

Ja, I don't know that that was ever seriously contended to be what had happened. I think the contention was that he had been placed in such a position because of the assault upon him, and the psychological effect that that had upon him, that he perhaps took his own life. --- Yes. In terms of the finding, I recall - I think it was Regional Magistrate Trevor Blunden, said in his finding that he

found that there was sufficient reason for this person to have taken his own life, in terms of the incriminating evidence found in his possession, and that he in fact had done so.

That was indeed his finding. --- Excuse me?

I said that was indeed his finding. When you went to the point-out with him - and you did go with him,

/didn't you?

didn't you? --- To the harbour.

To the harbour, yes. Did you find anything at that? --- No.

Did you go back there subsequently and have a good look around? You would have gone at night time. ---

Yes, we went at night time. He merely pointed the - as I recall, the point on the jetty where he had stood and tossed this bundle of literature in to the sea.

Why didn't you ~~guys go back and~~ look later? ---

We may have done.

In daylight. --- We may have done, or some members of the team may have done on the following day, or in days thereafter. But I don't think at that time it was too important an issue, because I cannot recall the time lapse involved in him having disposed of those articles and literature and the date of his arrest. I seem to think that it was a question of a matter of days, and that we were of the opinion that the sea and the tide had taken care of this in this time span.

The impression gained in the inquest is that you didn't believe him at all, you didn't actually believe he had dumped anything anywhere. You thought it was just a ruse. That seems to be the impression that one gets from reading the inquest. --- That could also

be the case.

And that would explain why you didn't go back. -

-- Yes.

Because if you did believe him you would have gone back. I mean it would have been the correct thing to do. --- No, that seems to ring a bell.

In summary then, you deny all allegations of any impropriety on your part in relation to Dr Haffajee? -

-- /Most
Most definitely.

Assuming that this person was one of your colleagues at the time. --- The person having made ... (intervention)

This deponent. --- Yes.

Can you think of any reason why he would he say something of this nature here? --- I can't off-hand, in that not knowing who the person was, and what his motivation may be, and under what circumstances that particular affidavit was made, I can't comment on that, other than to say that if the person concerned, either as an individual or collectively with others, had as such been himself involved during the periods of my absence in some kind of impropriety, that this in fact may be his way of covering his own involvement in something which I had no knowledge of.

Did you have disputes or fights with any of the Indian staff there, or the Coloured staff there, or the African staff there? You never were on bad terms with any of them? --- No, other than now and again perhaps from a disciplinary point of view, or a person perhaps being a bit lax in his work, or his approach to things, but one would address the problem, and in the

normal terms of the normal management style perhaps discipline the person, or caution him, or whatever. But other than that, which is par for the course in any work environment I think, certainly not. We got along very well. I in particular got on very, very well with Lieutenant Moonsamy and his entire staff, and there was never a problem.

You don't have any recollection of anyone harbouring ny grudges against you? --- Not to my knowledge, no.

/That would

That would have been apparent anyway. I mean you were there for quite some time. --- Yes, from 1976 to 1986.

About 10 years. --- Yes.

Enough time for a grudge to surface in some way or other. --- On the other hand somebody could have had a grudge against me of some kind without ever making it known. Perhaps that could have also been the case.

It would also be - I am just suggesting to you, for that grudge to suddenly find expression 20 years later doesn't seem that likely. --- Possibly not. Other than that the only other alternative that I can put forward is that this person, because of his own involvement, may, in terms of placing the blame elsewhere, be attempting to cover his own involvement.

Are you saying that's a much more likely possibility in terms of an explanation? --- I would think so, yes.

(Inaudible - end of Side A, Cassette 3) ... made voluntarily and handed to us, so, in the sense that you suggested that it could have been made by someone who

had been involved with an assault on the deceased, and was making allegations against yourself in order to cover up or explain the injuries, that seems improbable to me in the light of the fact that we were approached directly by this person. That's just for the record.

--- The only other thing I can add to that is that, in terms of all those who were present at various times of the day, what I find strange is in the main the allegations regarding assault are primarily directed at myself and Captain du Toit, and nobody else. Now, in terms of the people having access to Dr Haffajee, the question I would pose is

/why then

why then - if any such assaults had taken place, why then only Captain du Toit and myself?

These are questions obviously that we will look into and put to this ~~person when we~~ look at making some sort of decision as to the veracity of the statement, but at the moment it's just ... (inaudible)

MR WAGENER: Mr Chairman, can I ask you, before we leave the Haffajee matter, in the letter that we received the day before yesterday certain points were made, and I think we've dealt now with all of them except the very last one. I am not sure whether you have got the letter before you, but then I can put it. It is also alleged that Mr Taylor was involved in a cover-up of the true facts of Haffajee's death. I am not sure whether that point was really canvassed here today. Perhaps ask him to give a clear answer to that.

CHAIRMAN: Ja. I think that summary there arose from the allegation in the statement that Colonel Taylor and others were told what to say, or to prepare a version

for the inquest which would be consistent with certain injuries having been received at the arrest and at the pointing-out. Other than that we don't have any other allegations relating to a cover-up.

MR LAX: The other aspect is - I don't know if it's been adequately canvassed, but it's my impression - I will have to go through it again, but if I remember correctly this witness suggests that at no stage did any of those trips -that trip to the bay even take place. That was a fabricated thing, he's alleging, and to that extent there's a cover-up. Obviously the inference that he's drawing is that something else happened in his absence

/which may

which may have implied that Dr Haffajee was murdered rather than committed suicide. But - I mean that is the implication of what he's saying in the last few paragraphs.

MR WAGENER: As long as you, Mr Chairman, are satisfied that this point has been dealt with to your satisfaction.

CHAIRMAN: Let's put it to you directly. Did you in any way cover up the events of that day? --- Not at all.

None of the statements that you made were part of a cover-up? --- No.

MR GOVENDER: (Inaudible) ... simply the fact that you had recourse to the extent of the injuries that Dr Haffajee sustained. You must have seen the post-mortem at some stage during the inquest, or subsequent to it. --- Subsequently, yes, and especially then during the course of the inquest.

Would you agree that the injuries as outlined in the post-mortem would be substantial, the injuries sustained? Would you agree with that? --- Not necessarily so, because as far as I can remember the injuries referred to in the main were abrasions and bruises, some larger than others, others very small. As I indicated, as small as the size of a pin head. And there again, as I also pointed out during the course of the inquest, it was found that Dr Haffajee had committed suicide in a particular manner, and it was also demonstrated in a video, in that he had physically tied the legs of his trousers around his neck and then wound himself up from the concrete floor, in either clockwise or anticlockwise motion, and in fact died due more to suffocation. And in the course of having done that he could easily have incurred some of those injuries.



/Just on

CHAIRMAN: Just on that issue, it's clear from the inquest that all that all the pathologists were very clear that under no circumstances were any of the injuries sustained as a result of that kind of action. They ruled it out completely. Even Dr Gordon ruled that out. It was put specifically, and they all were very clear of the event that nothing would have happened in the hanging to have caused those kinds of injuries. So just to clarify that point. --- Yes.

MR GOVENDER: You see, Mr Taylor, the explanation which you gave, and Captain du Toit gave in terms of the injuries, is confined to the struggle at the arrest and the struggle at the Durban Harbour. --- That's right.

And is it your testimony that the extent of the injuries is consistent with those two struggles that took place, or is confined just to these two struggles that took place? --- I find in terms of my personal involvement, yes.

Well, let's put the question slightly differently. The extent of the injuries that he sustained, in your view is it consistent that it is apparent that those injuries could have been sustained as a result of both the struggles at the arrest and at the Durban Harbour?

--- I would contend that, yes. In terms of that which I perceived and that which I was involved in and that which I personally experienced, most definitely yes.

You wouldn't go as far as to say that he may have sustained injuries other than those two struggles which you were not involved in? --- That is also a possibility.

Is that a possibility? --- It's a possibility.

/If I

If I was not present I was not aware of anything which had taken place. I cannot deny that this could be a possibility.

Just on that point, Mr Taylor, Dr Haffajee was interrogated on your version for a very long time, from something like 9 o'clock in the morning until about half past 11 that evening. How much of that time did you spend away from the interrogation, you and Dr du Toit?

--- Dr du Toit?

Captain du Toit. --- Captain du Toit. I can't even attempt to guess, but there were numerous interruptions where one or either or both of us, or myself and another member of the team, left the room

concerned, where we were perhaps summoned to a telephone call, where we had discussions amongst ourselves. On numerous occasions.

Well, would you say you were away for any length of time? --- I could easily have been. I could easily have been.

And while you were there there was no assault on Dr Haffajee? --- That's correct.

You wouldn't know when you were not there if there was any assault, or would you have known? --- No, I wouldn't have, unless I detected something on my return, or unless Dr Haffajee had made some kind of report to me, which he had never done.

And at all times you say he was fully clothed. -
-- That's right.

The post-mortem also reveals a bleeding scalp wound, intensive bleeding under the scalp. Your version for that is simply that it may have occurred with his head hitting

/the radio
the radio console whilst being forced into the vehicle.

--- Or any other part of the vehicle, yes.

Any other part of the vehicle.

MR LAX: Mr Taylor, the only evidence of him hitting his head at any stage is the possibility that he might have hit his head on the console. There was no suggestion whatsoever at any stage in the inquest that he had hit his head anywhere else. His elbows, his knees, his hips maybe on the doorway. At no stage did anyone suggest that he hit his head on the doorway of the car or on any other part of the car. The only time it was raised, as Mr Lyster pointed out to you this

morning, was in your re-examination by Advocate Booysen, where you were asked to explain that very serious head injury by him and you canvassed that, because up until then you hadn't even conceded that you knew about it. That was what was so strange to everybody in the inquest, and you might remember that, thinking back about it. --- I don't recall that.

You yourself were utterly amazed at the nature of the injury. You said so. The words you used were you were - "bewonderment," that was the precise word you used. --- At that time?

Ja. You said when you - in fact what you said happened was that Colonel Stadler came to you and took a statement from you. He first took it down in his own handwriting and then he typed it out that afternoon, and you signed it that afternoon. And he asked you about the injuries. He didn't tell you directly. In your words you said, "He didn't detail the injuries to me, but he just said, "Did you know about the injuries?" You were

/absolutely
absolutely bewildered, you said. It was totally puzzling to you how he had come about those injuries. You hadn't seen, heard or noticed them in any way whatsoever. --- Yes, I will go along with that.

So, the question that bewilders all of us here - and remember this is not an inquest, we want you to try and help us to understand this - you don't seem to regard the extent of Dr Haffajee's injuries as anything particularly serious, but an ordinary person looking at that post-mortem report, and I am just an - as far as medical things go they look very serious indeed. The

doctors themselves said that there were two very serious injuries, that's the one to the top of the chest and the one to the head, and then obviously the throttle marks on the neck. But other than that all the other injuries were not of themselves consequential, in the sense that they would have caused death, and it was in that sense that it was being referred to, if you understand what I am saying. But that they were not important and significant, well, that's another whole issue. And your attitude seems to be these weren't anything serious, just scrapes and scratches obtained in the course of trying to get him into the car. And we are just puzzled by that. --- Well, both at the time and even today, as you yourself have indicated, I was then and am now of the opinion that these injuries, as were discussed and pointed out at the time of the inquest, were more of a superficial nature.

I think the words in the inquest that were used by Dr Gordon and Dr Lourens were that the wound to the head could only have been brought about by the use of substantial force, although they differed as to whether it

/was consistent
was consistent with a blow or a kick. Dr Lourens said that in his view it was consistent with that, Dr Gordon said that it was not necessarily so, it was also consistent with his body being brought into contact with an inanimate object. But they both agreed that in order to create those injuries - and you know it's here, you can read it - that substantial force would have had to have been used. Although the bruises and the things on the legs and on the - they were of a superficial nature,

but certainly the blow to the head would have required substantial force. And that's from the State pathologist himself.

CHAIRMAN: Also some of the other ones - the hip. For example, there was this big bruise on his hip, on one of his hips, and both the pathologists said that could only have been caused by a kick. --- Not being able to recall their evidence now I ... (intervention)

Ja, I am just telling you what's in the report.

--- Ja.

MR GOVENDER: (Inaudible) ... Mr Taylor, the only story that actually fits in with that type of injury is the one made by the witness who says, paragraph 13 - and the only thing likely to create that sort of injury is when he says, "Jimmy Taylor took him to the toilet, dragged him by his neck, the back of his neck to the toilet, and I saw Jimmy Taylor open the toilet and shove half his head down the toilet. He told him to drink the water. Dr Haffajee was battling to breathe and pushed back with tremendous force, lifting himself. By doing so he had fallen back and hit his head against the wall and fallen to the ground." And so far that's the only story that has come

/out in

out in this episode which is consistent with the pm finding. --- Well, first and foremost, as I indicated in my evidence, I don't know anything about this particular incident.

Yes, I am aware. --- I don't know if I ever saw a toilet in the vicinity. And then thirdly, now, at this juncture, I am unaware as to where this particular injury to the head was sustained. Was it at the front,

was it at the back, was it at the side? I cannot remember, not having had the opportunity to study the inquest proceedings.

CHAIRMAN: (Inaudible) ... the line that I was - the one other striking thing that struck me myself as I was reading this inquest was that when Colonel Stadler asked you about the injuries your attitude was clearly one at that time of saying, "Well, I am not really that interested, but I didn't notice anything." --- Yes, well, I think that is borne out by the fact that I was unaware of any injuries.

Ja. --- I can't remember at what stage time - what stage Colonel Stadler took down that statement, but obviously by then he himself had become acquainted with the fact that there were injuries. Possibly it would have been after the post-mortem examination.

Ja. I'll tell you precisely when it was. --- Which was then news to me.

MR GOVENDER: Referring to the post-mortem report, if I could just read it, there was extensive extravasation of blood in the subcutaneous tissue and in the muscles of the scalp covering of the skull from before, backwards and from side to side. There was no fracture of the skull.

/So it
So it was in this region. --- The rear of the ...
(intervention)

So it's consistent with the story also, this version really.

CHAIRMAN: (Inaudible) ... on the morning of the 3rd of August. Colonel Stadler saw you on the morning of the 3rd of August at about 11 o'clock, and he questioned

you for about 45 minutes, you said - three-quarters of an hour is how you put it. And then Dr Cooper said to you, "Did he tell you whether any post-mortem had been held at that stage? No, he didn't. He didn't tell me that a post-mortem had been held. He did inform me that the pathologist who had visited the Brighton Beach Police Station that morning had found certain marks on the body of the deceased, and he asked me whether I could give any explanation as to how these marks had been caused. Where did he tell you these marks in respect of which you were asked were?" And you said, "Yes." Sorry, then you replied, "Where did he?" You didn't understand the question. He said, "Yes, on what part of the body of the deceased were these marks?" You said, "He didn't go into detail, that kind of detail."

Then again it was put to you, over and over again, "Well, did you make any effort to find out?" Here was this man who had been in your and Captain du Toit's capacity primarily, you were the two main questioners, and that was evident from the inquest in your evidence up to that point. --- No, no, I would dispute that slightly, in the sense that only Captain du Toit and I were called to give evidence, but all members of the investigation team had submitted affidavits, and many others had ... (intervention)

/Yes, they

Yes, they did make statements. --- Many others had taken part in the interrogation.

But the primary point was, here were you two, the two of you - he was the most senior, and yourself - and neither of you made any effort to find out - here are these allegations about marks on someone's body serious

enough for the pathologist to note it, and serious enough for your officer to be slightly concerned and to ask you about it - and that seems clear - and yet you didn't in the remotest way make any effort to find out anything more. And it's clear from here that you didn't. Well, amongst other things it was the understanding that all those involved would not in any way become involved with the subsequent investigation into his death, which was in fact conducted, as I've said earlier on, by members of the CID - whom I can't remember now - and that we would refrain from interfering or posing questions of any kind in this regard. And that was why - I can understand, thinking back, why I was astonished to hear from Colonel Stadler that there were in fact a certain amount of injuries.

MR WAGENER: Mr Chairman, may I be allowed to ask a question as we don't have the post-mortem report? I see in paragraph 14 of this statement of the unknown witness he says that the deceased was kicked by Mr Taylor from behind, so that the momentum - he hit his face against a pillar and he collapsed onto the floor. May I be allowed to ask you is there anything in the post-mortem regarding an injury to this effect? Sorry, I am questioning you now.

CHAIRMAN: (Inaudible)

/ MR WAGENER:

MR WAGENER: Okay.

CHAIRMAN: (Inaudible)

MR WAGENER: Thanks. (Pause)

CHAIRMAN: Briefly, Mr Taylor, what in your view was the cause of Dr Haffajee's death, not the physical cause, the reason, if the finding of the Court was that

he - well, in fact the Court didn't make a finding that he committed suicide. The counsel there for the police made that suggestion. Is it your view that he did commit suicide? --- Undoubtedly so.

Why do you think - if he did, why do you think he did that? Why would he do a thing like that? --- Well, basically at the time and now I was of the opinion, and the rest of the team were all of the opinion, that he committed suicide to prevent us extracting information which could have implicated other people.

If there are no more questions on the Haffajee incident then we can move to the next ... (intervention)

MR GOVENDER: Just one question. It's obvious that you had his flat bugged, Mr Taylor. Mr Haffajee's flat was bugged, in the sense that you had a bugging device. And, as you said in your evidence earlier on, that the branch knew that he was working with other people in cells, and having meetings and so forth. And of course the identity of those people were known to you as a result of your surveillance and bugging and so forth?

--- Some of them I think were, yes. Notably some of the Westville University students, if I recall correctly.

Okay. And you said that at some point during the interrogation Dr Haffajee was co-operative, he gave you some information, and you said the extent of that

/information

information was taking you to the Durban Harbour and indicating that he had thrown some literature into the bay. --- Yes.

What other information did he give you? ---

Excuse me?

What other information did he give you? --- I think he had also admitted to having participated in training programmes or lectures in terms of certain students in his flat.

Did he name people? --- I cannot recall.

You cannot recall. --- I cannot.

Well, was the information given to you a subject of further investigation in relation to people or lectures that he gave? --- I seem to think that it was, yes.

Yes. --- There was a follow-up investigation.

And did that investigation lead to anything? Was anybody charged and prosecuted? --- There were no prosecutions, no.

No prosecutions. So your surveillance produced no evidence, nor did his information produce any evidence sufficient for you to prosecute anyone, or detain anybody for a long period of time? --- Other than Dr Haffajee?

Yes. --- Not as I recall, no.

CHAIRMAN: (Inaudible) ... this line of questioning. You are familiar with a technique that was sometimes used - I am not suggesting that you may have used it, or that someone may have used it in your presence, but a technique that's used where a towel or a cloth is wrapped round someone's neck so as to restrict the carotid artery, and when the person gets close to blacking out you release the pressure. It's very disorienting. It's quite a standard

/form of

form of interrogation. --- I have heard and read about such a technique, yes.

Ja. If such a technique would have been used it's likely to have caused similar kinds of marks to someone hanging himself. Is that not possible? --- That's a matter for conjecture. I can't comment eloquently enough on that.

Are you aware that very shortly after Dr Haffajee died another detainee died in the same - very similar circumstances in Brighton Beach Police Station? --- Yes, there were two pretty close together, yes. Dr Haffajee, and the other person who ... (inaudible)

Yes. He also, as far as I recall, was hanged, or hanged himself, or whatever. --- Possibly, yes.

You see, if someone were to put it to you, for example, that Dr Haffajee was being subjected to some form of interrogation that might have gone to far, and as a result of this he then died, wouldn't the semblance of suicide cover that up just as easily? I am asking you that? --- Yes. Well, I think this was the main line of argument in the inquest, that this could have been a possibility, and that therefore we, as members of the Security Branch, had gained access to the cell and then actually physically hung him ourselves. The fact of the matter is Dr Haffajee was alive and well in the charge office, he was alive and well when he was escorted to the cell, and he was from that moment on under the care of the uniformed branch, who ultimately then discovered his body a few hours later.

Just to follow up on what Mr Govender was saying to you about people who were prosecuted and so on. What

/would have
would have happened - just assume Mr Haffajee didn't
commit suicide and you would have continued with the
questioning. You've already told us that there had been
no earth-shattering revelations, and most of the stuff
that he told you you already knew anyway, and if he had
simply refused to divulge any further information what
would you have done? --- Well ultimately, if the
investigation and/or the interrogation couldn't have
proceeded any further than it had, at that stage we
would in all probability have charged him with numerous
offences in terms of the Terrorism Act, apropos the
documentation which we had found in his flat.

And why didn't you just detain him and leave him -
charge him straight away? You had all that stuff
anyway? --- Well, the approach at that stage was to
effectively detain him and interrogate him so as to lead
on to possibly others that were in the cell environment
who could have been involved in the same sort of
activity which he was.

The reason I am saying this is you knew who the
others were. You knew that because you'd monitored
who'd come and gone to his house, you'd heard the
telephone conversations. --- We knew some of them.

You'd heard the lessons that were being conducted
through the bugging device. So you actually knew who
those people were and you could have used the
information you had against him against them. --- We
knew of the identity of some of them, and those were
primarily people below him. Who we were interested in
was trying to get information about the chain of command
above Dr Haffajee.

But just to follow up on Mr Govender's last question

/to you to you basically, why didn't you charge any others of those that you already had a fairly good amount of evidence on? --- Again we're going back 20 years in time, but as I seem to recall, with the arrest and the death of Dr Haffajee I think most of those involved went to ground, and that the investigation itself tapered off as a result thereof. (End of Side B, Cassette No 3)

Shall we move on? (Pause)

MR GOVENDER: Mr Taylor, we'd like to move on to something else, to Rick Turner, Richard Turner. That's in 1978. --- Yes.

You were a member of the Security Branch at that time? --- That's right.

Do you know anything about the assassination of Rick Turner? --- I know of the assassination, and I know something about certain comments made subsequent to his death, certain discussions that were held in our offices, but I think the most important thing which I can recollect - and I have thought about this after having received the original subpoena - were the comments made on the morning after his death by the then Captain R L Delmont, Bobby Delmont, where he had been the Security Branch duty officer that particular night, and as such when the events occurred he had been summoned to the scene, I think as a result of a communication from the CID. And as I recall the following morning, in a sort of general discussion with, I think, Captain du Toit and myself - because in terms of our office localities we were very close to each

other - where Captain Delmont made the remark that both he and the CID at the scene that evening were of the opinion, amongst other things, that this had not been a planned

/assassination
assassination as such, but more of an attempt to frighten Dr Turner, in that the persons involved probably never intended Dr Turner's death in the first instance. And he went on to clarify that remark by - and I can actually visualise him demonstrating now, that Dr Turner had heard a noise outside the window of the room he - I think it was the lounge, and it's an old-fashioned house with bay windows, and he'd actually moved up to the window, and it was dark out side and he was peering out apparently, and according to information from the family, when a shot went off. And from the investigation at the ~~scene that~~ morning it had been established that the actual person firing the shot had been to the right of Dr Turner, as I recall, outside the bay window, and had fired a round with a pistol through the side window, and that this bullet was actually passing Dr Turner, and unfortunately hit part of the burglar guards in front of the window and, as Captain Delmont said, ricocheted and came in at right-angles and struck Dr Turner in the chest, effecting a wound of which he subsequently died within minutes. And that, I am afraid, is virtually the sum total of my knowledge of the incident, other than to say that there were a various number of suspects, and that the investigation which was carried out by the CID continued for a long period of time, but never materialised in the actual person being properly identified and/or prosecuted.

Were you aware that the Special Branch was keeping Dr Turner under surveillance at that time? --- Yes.

I think, if I remember correctly, he was a restricted person. I can't remember if he was in fact under house arrest at the time, but that he was the subject of an /ongoing ongoing monitoring and investigation, that is so.

Were you ever involved in monitoring Dr Turner?

--- No.

Do you know of anybody who was? --- Not in my unit. That concern would have been that of Lieutenant Vic Macpherson.

Of the university desk? --- Excuse me?

Of the university desk? --- Of the university desk, yes, or the student desk. But we must also remember that other persons also had an interest in Dr Turner. I specifically refer to people like the then National Intelligence office.

Were they keeping surveillance on Dr Turner also?

--- Excuse me?

Were they keeping surveillance on Dr Turner also?

--- I would assume so.

Why do you say that? --- Well, I mean this was par for the course, in that very often information would be exchanged between the Security Branch and National Intelligence with regard to a particular subject of mutual interest.

CHAIRMAN: Are you aware of an informant that was giving information to the Security Branch at that time?

I think his name was Mtshali, who died the same day or the day before Dr Turner was killed? You never ... (inaudible) ... from KwaMashu north of Durban? Did you

ever deal - did you deal in the course of your work with informers, non-policemen, who ... (intervention) ---

Yes. Is this a non-policeman that you're referring to?

There was a ... (inaudible)

He was in fact an askari, this person that got

/killed in

killed in ... (inaudible) --- (Inaudible)

Ja. --- (Inaudible)

When I say askari, he was - you didn't call him them that at that stage. It's what we've subsequently come to call askaris. In fact he was an ANC person or an MK operative who had changed sides. --- Oh, then - yes, then you must be referring to Sergeant Leonard Nkosi, who stayed in Ntuzuma, north of Durban. And I think I indicated earlier in my evidence that he in fact was assassinated at his home during 1977, so the year preceding Dr Turner's death. There I was - happened to have visited that scene the following morning too. There it became obvious that he had been shot and killed with a Tokarev pistol, and I think the ensuing investigation revealed that this had been done by an ANC unit, and in fact they claimed responsibility for that in numerous of their publications thereafter.

Ja, we're talking about an incident that happened literally the day before Dr Turner's death, within no more than 48 hours of his death. --- I'm afraid I can't help in that regard.

It has been suggested that he was killed sort of almost in revenge for that by some - some people have suggested that. Whether that is in fact so or not ... (incomplete) --- I cannot comment.

Are you aware to what extent then, I think, Captain Andy Taylor played in either the surveillance of Dr Turner, the subsequent investigations, or any other role that he may have played? --- I've read reports in newspapers with that tone, and I can emphatically state that this would never have been the case, because Andy

/Taylor

Taylor did not work with white suspects or subjects. And I very seriously doubt whether he even knew where Dr Rick Turner stayed. I am just totally astounded at what I've read about it.

Ja, that in fact was his response, because he's also been ... (inaudible)

Just to follow up in regard to that. What was the relationship between the Security Branch and the Bureau of State Security at that time? Well, I must be honest, it was a bit of a love/hate relationship. To be quite honest.

Ja, I mean that - that's what we understand. That's the open secret, and it was an open secret even at that time. --- Yes, I think one must be quite frank about this issue. I mean those were the circumstances, and primarily I suppose - it differed from one region to another, or one division. In some areas one had a very good working relationship, in other areas perhaps less so. And fundamentally, I suppose, one could base this on - the bottom line perhaps being that a large degree of professional jealousy between the two organisations did exist.

I think added to that might have been, and if I could put words in your mouth, the fact that they

sometimes got the cherries and you were left to pick up and eat the raw cake, if I could put it that way. And they often were allowed to operate in a way that didn't restrict them to some of the more tedious regulations you people were tied to. --- Quite correct, and especially that which appertained to the law itself, the legal aspects.

/Did you

Did you ever meet or have dealings with Martin Dominichec(?), who was one of the primary suspects in this case? --- Yes, I met Martin on one or two occasions. Not in fact in the work circumstances or anything to do with work circumstances, but more socially in terms of inter-office functions or - there was a particular sporting event held once every year, in which both the Security Branch and National Intelligence, at that time, and I think the Department of Foreign Affairs participated. And then later on they withdrew, Foreign Affairs, but National Intelligence and ourselves, it was a sort of annual event, a fun run type thing, and Martin Dominichec used to participate every year virtually. And I can remember him as quite a good athlete.

And that was the only extent of your connection of him, was it? --- Yes, other than to say that in terms of liaison with our office he would have liaised, and in fact did liaise, with somebody like Lieutenant Vic Macpherson.

That would have been his contact in your branch?

--- That's correct.

What other members of that outfit did you have contact with besides Dominichec? --- Well, my

contact was minimal. When it did occur it was just in terms of joint meetings, or at briefings of some kind, and usually it would be the regional representative, Mr Fouche at that time. And then occasionally we would help them out in terms of training with their surveillance unit, where I, for instance, on one occasion posed as a suspect, where their surveillance unit kept tags on me for X number of hours. In terms of mutual liaison and co-operation along

/those

those lines ... (inaudible)

Mr Govender, you wanted to ask something.

MR GOVENDER: No, it's okay.

CHAIRMAN: Anything else on this matter that you want to ask?

COMMISSIONER: Does the name Ashley Wills mean anything to you? --- Ashley Wills? That's W-i-l-l-s.

It could be Wells. --- Ashley Wills or Wells?

(Pause) It does ring a faint bell, but I can't say more than that.

Just while we're talking about names and things, if Captain du Toit was involved in the surveillance of Turner as far as we've been able to ascertain, would it have been the same Captain du Toit which you worked with? --- Yes, yes.

Were there any other Captain du Toits in your unit? --- No. He would have been involved to the extent that as group head Lieutenant Macpherson and his section fell under him, and the work that they - any work that they would have done appertaining to Dr Turner would have come to his notice.

Captain du Toit who was P L du Toit, was the P for Piet? --- That's right, Pieter.

Pieter, but he was known colloquially as Piet du Toit? --- That's right.

You recall the incident where Colonel Welman gave his opinion that Dr Turner ... (inaudible) ... his death. Do you know why - did he express an opinion as to why that was a likely scenario, why somebody should have wanted to have scared him, who that person or whose agency that person might have been - to fire a gun at somebody in the

/middle

middle of the night? --- Yes, well this was a subject of discussion for some time, and here I must be very careful, in that I must choose my words most correctly, in that I seem to recall that in the ongoing conversation - the investigation, sorry, I seem to recall that the name of Mr Martin Dominichec had come up. There at the time were a number of other incidents of a similar nature which had occurred which we were aware of. There were two attacks using firearms on Mr Harold Strachan at that time. There were attacks on the home of Mrs Fatima Meer, I think using a shotgun and an arson attempt - yes, that's right. And particularly, I think, in terms of the second attack surrounding Mr Strachan, the evidence indicated that a vehicle very similar to that of Mr Martin Dominichec was seen in the vicinity.

Was that a green kombi? --- A green kombi, seen by a - a milkman, I think, in the early hours of the morning. And that - yes, indeed, his name had been coupled to the death of Dr Rick Turner, in that the

modus operandi involved seemed to point in his direction, and based on that I think Bobby Welman's opinion was that again it was another attempt to scare or to intimidate, more than a planned assassination. And that which they had found at the scene, in terms of the footprints outside, I think, and the mark on the burglar guard, indicating the deflection and so on, that seemed to have borne that out. Again under correction, if my memory serves me right, there was in fact during the investigation surrounding Dr Rick Turner, an approach by the investigation officers to National Intelligence for the weapon that - any special weapons which Mr Martin

/Dominichec

Dominichec may have had in his possession or which had been issued to him be handed over for ballistic testing. But what the outcome of that was I cannot say.

Of course - this is an observation - he would have been highly unlikely to have used his official weapon for that. I mean ... (intervention) --- Yes.

If you were a policeman involved, or somebody involved in this case, if you had an official weapon, the last thing you'd use would be your official weapon because it would be too easy to trace it. --- I think, if I am correct, the investigation covered both personal and official firearms, and I know in terms of - or I think I know that in terms of the National Intelligence Department there was some difficulty in getting hold of those official firearms, if I remember correctly.

Yes. In fact - but we have the full docket on the ... (inaudible) ... the one with the ballistics test ...

(inaudible) --- If I remember correctly it was a 9mm pistol.

That's right. --- Yes.

Who was Toks Rossouw? --- Toks Rossouw was a lieutenant, Lieutenant Rossouw. When I arrived at the Security Branch in 1976 Toks Rossouw was, I think, a member of WH11 department. Subsequently he resigned after I had been there perhaps a year or two, I don't know, and he moved on down to Cape Town.

MR GOVENDER: Do you know a Major Groenevald- he may not have been a major then - either in the Murder and Robbery or in the Security Branch? --- A Major who?

Groenevald. --- Oh, Groenevald. Major Groenewald?

/he may

He may not have been a major then. --- In Durban?



In Durban, yes. --- Yes, I think there was a Major Groenewald stationed at Somtseu Road.

Yes. --- At the Murder and Robbery Unit, if I remember correctly.

And was he tasked - was his unit tasked with the investigation of Rick Turner's assassination? Do you know? --- I don't off-hand, but quite possibly.

Do you perhaps know the whereabouts of that major now? --- I don't.

MR WAGENER: Mr Govender, if you have his initials or whatever I can try and help you with that. I'll try and phone you tomorrow. Maybe I can find it via head office, the police head office.

MR GOVENDER: Thank you, Mr Wagener.

CHAIRMAN: You don't remember what his names were, this particular Groenewald? --- No. No, I'm afraid not.

And were you ever part of an investigation into somebody by the name of Gilders, Dawid Gilders? Does his name ring a bell at all? --- It does ring a bell, but I don't think I was part of the investigation as such.

He was subsequently convicted of carrying out an attack very similar to the ones you described a couple of minutes ago on the leader of the then official opposition, Mr Colin Eglin, in Cape Town. An arson attack and firing weapons through the window. --- No, I probably - that's probably why the name meant something. I probably have read about that, but other than that I wouldn't have had any involvement.

Did you work with Louis Botha at all? ---

Louis

/Botha, yes.

Botha, yes. He was part of the ANC desk. When you say, "work with him," I - he was a colleague, but our work scenarios were totally different, so in terms of the general work circumstance, and any specific investigation, I don't think Louis and I were ever involved in anything specific.

Did you have any dealings with Bill Colley, or Coley? --- Bill Colley, yes. He was a former policeman who became a member of National Intelligence.

That's right. I think he was a police - he was a mechanic at the police what's-its-name, and he took his discharge or transfer to National Intelligence. But again I knew of him. That was about it. I know of a certain investigation that Andy Taylor and he conducted

at one stage, in which National Intelligence were also involved in terms of them having infiltrated - it was a particular weapons smuggling unit of the ANC, I think from Swaziland, and as I remember it Bill Colley was the handler of that particular informer.

What do you know about John du Preez? --- John du Preez?

Ja. Did you have any dealings with him? --- A member of the force?

He was a member of the National Intelligence Service, or whatever that is. --- No.

So-called BOSS. He would have been a colleague of Colley's and Dominichec. --- No, not off-hand, I don't ... (incomplete)

Did you know Dan McClure? --- Yes. He was a major and a lieutenant-colonel. In fact he headed up the Murder and Robbery Unit at Sontseu Road at one stage.

/Whilst

Whilst - in fact before I was a member of the Security Branch - I was still at District Headquarters in the uniform section - he was then also at Durban and District Headquarters as the district CID officer.

What were your dealings with subsequently General Smit, Basie Smit? He was involved in the Turner thing to some extent. --- Quite possibly. I knew General Smit ever since he was a captain. He was the commanding officer in the then Drug Unit at Durban Central, and of course subsequently thereafter throughout his career, and especially when he was at head office, our paths crossed on many occasions.

And when he later transferred to Special Branch then you would have worked together with him there of course. --- Yes.

The Steenkamp you referred to earlier, that was Franz Steenkamp. --- That is correct.

Did you ever come across Arnold van der Westhuizen at all? --- No, the name doesn't ring a bell.

You never had any opportunity to investigate him or any others? --- Was he a private person?

He was a private person as far as I'm aware. He was part of an organisation known at that time as Scorpio. --- Scorpio existed in Cape Town.

Well, it existed in various forms all over the place, but ... (incomplete) --- Yes. No, I wouldn't have had anything to do with him or the organisation. I recall Scorpio from the Cape Town days when I was a young uniformed constable and sergeant.

Ja. --- When they made a bit of a name for themselves.

/Did you

Did you in the branch keep any of these organisations under surveillance at all? --- Well, by the time I came to the branch I think, as far as things go for - an organisation like Scorpio was non-existent then. To my knowledge anyway.

Ja. --- And certainly not in Durban.

Did you ever hear of an organisation called Omega? It would have operated in the late 70s/early 80s, primarily in the Jo'burg area for example. --- Omega or Okela?

No, Omega. They played the same sort of role as Scorpio did. --- No.

Did you have any dealings with Majurah Doorasamy, or Doorasamy Majurah? Ex CID, transferred to BOSS in the 60s. --- No.

Did you come across someone called Alex Lambert ... (inaudible - end of Side A, Cassette No 4) ... or Breedt that you might have had dealings with? He came from Port Shepstone. --- He came to the Security Branch? What sort of time frame would we be looking at?

He was in Port Shepstone by 1980. He might have been after your time here. --- No, if he was there in 1980 I ... (intervention)

But he would have been in Durban prior to that.

--- He transferred from Durban down to Port Shepstone?

I think so. --- There's not a first name to couple it with?

I'm afraid not. No, it doesn't ring a bell.

Anything else you want to pick up on, Mr Govender, before we move on? Okay.

MR GOVENDER: Sorry, Mr Wagener, what time's your flight? /half four?

Half four? 4.30?

MR WAGENER: Yes, 16:30, so we have to be at the airport at 4 o'clock if possible. I've asked Mr Singh, and he was kind enough to offer his services to take us there.

COMMISSIONER: It's 10 minutes from here.

CHAIRMAN: Ja, 15 minutes, and there's no traffic, so you can leave at about 20 to.

MR WAGENER: Yes, thank you.

MR GOVENDER: In view of that if the next two matters on the ... (incomplete)

CHAIRMAN: (Inaudible)

MR GOVENDER: The matter deals with the assault on Sheila Khumalo in 1977. Do you know anything about that, Mr Taylor? --- I don't know anything about it.

I don't know the person concerned or the circumstances surrounding his arrest and detention. Not at all.

The other incident is the assault on one William Pano Khanyile in 1975. --- Yes, I have taken cognisance of the details surrounding this person as reflected in the subpoena and the further letter sent to us by your office. I can point out - I think one can dispose of this very simply by saying that in terms of the details reflected here he was arrested in Durban on the 5th December 1975, charged with nine others in 'Maritzburg, a trial which commenced on the 15th of July 1976, and he was acquitted at the end of July 1977. At the time of his arrest, and all the way up to halfway through his trial I was not a member of the Security Branch, having been transferred to the Security Branch on or about the 3rd or 4th of December 1976. All these events are completely foreign to me.

/That is

That is fine. Unfortunately we have had two Taylors in the Security Branch at that given time, you're aware of that, Andy Taylor and yourself. ---

Yes. I was in the fortunate position of having all his girlfriends phone me, and he was in the unfortunate position of having all my creditors phone him.

Is that so? --- So it worked quite well in that regard.

Was he your superior officer at the time? ---

He was my senior, he was a year senior to me, yes.

Did you ever work under his command? --- No,
directly not, no.

Ja. Mr Chairman, we have indicated in -
subsequently to Mr Wagener the incident of the bombing
of the office in London, for which Mr Taylor has applied
for amnesty. In view of the time constraints that we
have, in the sense that this matter will have to come to
be investigated in the course of his amnesty
application, I don't know how - whether we should be
inclined to continue with that, or we can proceed and
adjourn this matter to another date where - because we
need Mr Taylor to continue with the investigation for
the amnesty application. Or do you want to proceed now
with that, depending on the time constraints which Mr
Wagener has?

CHAIRMAN: Can I suggest that we continue for half an
hour or so, and then we call it a day? We might dispose
of this thing fairly quickly, and if we don't we can
always - if Mr Wagener and Mr Taylor agree - send them a
list of written questions which they could reply to as
well.

MR GOVENDER: Yes.

/MR WAGENER:

MR WAGENER: Yes. Yes.

MR GOVENDER: Mr Taylor, before we come to that,
there's just one last question relating to your line of
work in the Security Branch. You were with the church
desk, as you indicated. We'd like to know exactly which
type of organisations did you look at or investigate or
put under surveillance and so forth? Can you give us

briefly ... (incomplete) --- I don't have a problem other than to say that is the relevancy thereto - is it concerning the matters at hand?

In terms of the Commission's work, in terms of painting an appropriate picture, it becomes relevant, yes. --- Yes. Well, in that regard I think primarily the investigations were launched around a variety of organisations, notably the Christian institutes, Dykonina(?), the National - the National Leadership Training Programmes, I think it was. I think that's as far as my memory serves me at the moment. And of course obviously personnel attached to these organisations. The - it was overlapping, I think, in terms of some of those attached to some of the BCM institutions. Of course then my major involvement at that time was that which occurred on the 19th of October 1977, when various organisations were declared to be unlawful organisations, including some of the church orientated or religious orientated organisations like the Christian Institute. Then I was involved in search and seizure operations in terms of the instructions that came from head office, as well as from the person who was appointed as executor of the properties of these organisations, which I think were later on declared to be forfeited to the State.

/CHAIRMAN:

CHAIRMAN: When you talk about the National Leadership Training Programme. --- NYLT.

NYLT? --- That's right.

Where was that based? Was it Botha's Hill? ---

At Botha's Hill, yes, at Koinonia - Koinonia.

Did you - in the course of these surveillances and with your work what sort of areas did you cover? ---

Well, in the main these investigations centred around the activities of individuals, the publication of what was then termed to be offensive material, and submitting these publications and/or other pieces of literature to the Publications Control Board. There, where they had been banned already and were re-issued by certain of the organisations, to institute proceedings against them in court.

Geographically speaking did you work beyond Durban and the environs, or - did you have connection with people in 'Maritzburg or Ladysmith, Newcastle? ---

No, at that time the province of Natal, as it then was, was divided into two police regions, namely Port Natal, the Durban Division, and then Pietermaritzburg Division, which covered the northern parts, whilst Port Natal was Durban and environs, going down to the south coast, Port Shepstone, and as far north as - as far north as the Tugela. Everything across the Tugela was Pietermaritzburg, or Natal Division's work. In terms of my particular work, I in the main was limited to working within the confines of the Port Natal Division, although there were occasions when one did obviously liaise with members of Pietermaritzburg Security Branch.

Which members did you liaise with from

/Pietermaritzburg?

Pietermaritzburg? --- Oh dear. (Pause) There was a Warrant-Officer von Mollendorff.

Sorry, I didn't catch the name? --- Warrant-Officer von Mollendorff.

Mollendorff? --- Von Mollendorff.

Yes, v-o-n? --- V-o-n, von Mollendorff. There was a Warrant-Officer, later on Lieutenant Pieterse. There was Major Erasmus, as he then was, Major Diederickson.

Sorry, the last name? --- Major Diederickson.

Diederickson? --- Yes.

Colonel Dreyer? --- Colonel Dreyer was there, yes. He was the commanding officer, but subsequently left, probably a year to 18 months after I joined the Security Branch.

Those are them? --- Those I can recall off-hand now, yes.

Did you ever deal with Major Fourie at all? ---

Jerry Fourie, yes, because he became a member of our office later on.

He was a captain when he was in 'Maritzburg, and then he was promoted and sent down here. --- That's correct.

Did you ever - I don't think he was from 'Maritzburg, but Major Lourens, James Lourens? --- James Lourens, he was part of our set-up. He was actually - when I came to the Security Branch he was a lieutenant, also a year my senior, and he was based at Port Shepstone, and then came up to Durban at a later stage. Port Shepstone being one of our sub offices. At that stage he fell under the command of the commanding officer, Durban.

/You've said

You've said there were a number of individuals that you kept surveillance on, as opposed to organisations. Give us some idea of who those people

were. --- Well, somebody like Paddy Carney.

Yes. --- Paddy Carney of Dykonina. At the time of the banning of the Christian Institute Mr Renee Holtz. All the personnel attached to, for instance, the Dykonina office, were monitored from time to time. I can't recall all their names now.

Is that people like Richard Steele and ... (intervention) --- Richard Steele and Annette Stromberg on the End Conscription Campaign, that's right.

What about Archbishop Hurley and people like that?

--- I don't think, as far as I can recall, that Archbishop Hurley was monitored to any extent. I did have dealings with him, in that I had occasion to visit him at his home and take down a formal statement from him on one occasion, but other than that nothing at all.

It doesn't look like you guys had a lot of work to do, just judging by these few people that you've mentioned. --- No, surprisingly enough there was quite enough. There was quite enough.

Either these few guys were very, very difficult ... (incomplete) --- But one must recall that things did change, and there were - in terms of operational structures one did move on from those particular scenarios.

Yes, let's move on to the London operation. Just before we leave that, just going back briefly to that Khumalo incident, the information that we have is that the people who were involved in that incident where this

/person was

person was allegedly assaulted were Colonel Dreyer, Colonel Steenkamp, Captain Stadler, a Captain Ellis -

does that ring any bells? --- No.

And Lieutenant Taylor. Now, in the context of those five names - take out Captain Ellis, because you've never heard of him - that's Dreyer, Steenkamp, Stadler, Taylor, who is more likely to be associated with those people, Dreyer Steenkamp and Stadler? Is it you or Andy Taylor? --- It would have been Andy Taylor, yes. Especially in terms of this time span and the person involved. We're talking about Khanyile now?

Ja, Khanyile. --- William Khanyile.

Sorry, sorry, Khumalo. --- Khumalo?

Khumalo. --- Yes, well undoubtedly - I mean a more likely person to be involved would be Andy Taylor.

Even though those were colleagues of yours did they have - why is that Andy Taylor? Was it because he was working with black suspects? --- That's correct, yes. I don't know the Colonel Dreyer, as I have indicated, was the commanding officer in Pietermaritzburg. Captain Ellis could have been attached to Pietermaritzburg, but I wouldn't - I didn't know him. Stadler, Steenkamp and Andy Taylor, of course, were all part of the Durban office.

The allegation is that this person was on his way from 'Maritzburg to Durban, so it's quite likely there was a joint operation and that's what happened. ---

Quite possibly, yes. Quite possibly, sure.

And that would make perfect sense, that you would have some people from Durban and some people from 'Maritzburg. --- Yes.

With regard to this chap Khanyile, again in that

/instance

instance - it was in 1976 when you weren't around. ---
'75 apparently.

'75, I beg your pardon. But again if one looks at the people that are mentioned there, Steenkamp, McDuling - did you work with McDuling at all? His name hasn't come up yet today. --- Yes. Lieutenant Corrie McDuling. Yes, I knew him. He was part of the set-up. He in fact was another person allocated to the ANC desk.

Then there's a van der Westhuizen, Warrant-Officer van der Westhuizen. Who would that have been? --- This in all probability would be the Lieutenant van der Westhuizen I was referring to earlier on.

Okay. --- Who had been with me on an officers' course during 1976. So the following year, '76, he became an officer. Warrant-Officer Josiah van der Westhuizen I think his first name was.

There are other names mentioned here that might ring a bell to you. There was a Senior Sergeant Mthembu. --- That in all probability would be Sergeant James Mthembu, also attached, when I was there anyway, to the - to the trade union desk, and actually he also did some work for me at the church desk at once juncture.

And then there's Sergeant Mhlongo. --- Sergeant Mhlongo, yes, I know of him. He was attached to the ANC desk.

And then there's Sergeant Dlamini. --- That doesn't ring a bell. Possibly somebody attached to the Pietermaritzburg office, I don't know.

MR GOVENDER: Did you, Mr Taylor, remain all your - during your entire career with the Security Branch in

the church desk, or did you move around? --- No, one moved

/on, most

on, most certainly.

What other sections did you work in? --- Well, I was used on an ad hoc basis in a number of investigations, both on the left wing and the right wing. Perhaps one of the most important was the series of - or the investigation concerning the series of events surrounding Mr Robert McBride at a later stage. I was involved to a lesser extent in certain investigations which were conducted surrounding the person of somebody like Barbara Hogan and others, who were detained at the time.

MR GOVENDER: Did you interrogate Robert McBride? ---

Yes.

CHAIRMAN: Sorry, while we're on McBride, McBride alleges that he was quite severely assaulted during his interrogation. What do you say about that? --- It's a lot of nonsense, in the sense that it was never necessary to assault him in any way, because with half an hour the first admissions had come. Within half an hour of having talked to him. And I think the record will state, and all the investigation diaries and registers of the time will also reveal the fact that at no stage during his detention and interrogation did he ever, so far as I know, make any report to any person regarding any assault of any kind.

MR GOVENDER: Did he make a statement which was signed by him? --- He made a statement, but at the end of the day he refused to sign it.

There was no statement signed by him? ---

That's correct.

The incident known as the bombing of the ANC offices /on the on the 14th of March 1982, I see, Mr Taylor, you have applied for amnesty for that incident. --- Yes.

Just a few questions on the allegations you've made. Firstly, why was the operation, the bomb at the ANC offices in London, chose? On what basis was it chosen? --- I think that if one had to refer to the annexures in my application, notably that which was submitted - and they were part of the submission by General Johan Coetzee to the Commission in Cape town - he spells it out quite clearly that the decision had been taken at the highest level as a result of the armed attack on Voortrekkerhoogte on the 12th of August 1981, and that during subsequent investigation thereto it became obvious that a number of, amongst others, British nationals had been involved with the planning and the execution of the operation. And that, as far as I am aware, the planning for the operation against Voortrekkerhoogte and the orders therefor, had come from London, had taken place in London, the powers that be had decided at a certain stage that a retaliatory measure of some kind should be undertaken.

And the team that was chosen, including yourself, what criteria was used, do you know? --- I don't, to be quite honest, other than that I received a directive one day to report to head office the following morning, and report in person to Brigadier Goosen, and who briefed me to a certain extent, and that was it.

You don't know why and how you were chosen? ---

Well, looking back probably - and I think General Coetzee touches on the matter - the criteria, one criteria would have been that primarily English-speaking members of the Security Branch were to be selected.

/So all

So all the entire team, apart from Goosen, were English-speaking? That's Williamson, Macpherson, yourself, Adams ... (intervention) --- Adam.

Adam, Raven and Casselton. All of them are English-speaking? --- Apart from Captain Eugene de Kock.

Where is that? Oh yes. You allege that false passports were used in the operation. --- Did I say that? Yes, well I think that was the case in fact.

Can you divulge the false names that were used? For yourself? --- I think the one that I used was Thomas.

As the surname or the first name? --- As a surname.

Surname? --- Yes.

First name? --- Jonathan.

Jonathan. And can you remember any of the others?

--- No. I didn't have access to them anyway.

Oh, did you all go separately? --- That's right.

COMMISSIONER: (Inaudible) --- Jonathan.

MR GOVENDER: The reconnaissance of the SACP and ANC offices in London, how was that done? --- Well, it was conducted on a team basis, and we were two-man teams as I have indicated. Just to clarify one issue, in - I said on page four of my application over the period of

20th March to 1 - "Over the period 20th February to the 1st of March the team departed in pairs for London." One exception to that would have been Mr Casselton, who was already in the United Kingdom, but other than that we departed, as I say, in pairs, and we operated in pairs. Each pair independently of the others would reconnoitre the premises concerned on an ongoing basis, on a daily basis, every night for virtually the whole two-week period that we were /there prior there prior to the carrying out of the operation. And then, again as I indicated in the third paragraph on page five, on the last Wednesday before the 14th we got together for the very first time, and all that information was collated.

The bomb was actually made in London, was it, or was it taken from here? --- I don't know.

You don't know? ARCHIVE FOR I didn't have access to that either.

It was just provided to you on the day that you went there. --- I never saw the bomb.

You never saw it. --- No.

Describe to us how it was placed at the office.

--- From what I gathered after the event, as I indicate, Warrant-Officer Raven and Captain de Kock actually crossed the fence and went - approached the annex at the back of the building which contained the ... (inaudible) ... the yard itself was surrounded by a six-foot high corrugated iron fence. Close to the annex, from what I was told, there was a sunken pathway with a little low wall which, in terms of deflection, would absorb most of the deflection and keep it away from the street, which I think was about 20 metres - 20

yards distant anyway. And that because of this low retaining wall of the pathway the entire explosion would be directed in the direction of the building itself.

You say that both P W Botha and Pik Botha knew of the bombing. --- Oh yes.

Who told you that? How did you know that? ---

Well, we were informed of that state of affairs subsequent to our departure - subsequent to our return, sorry. But

/I think

I think the very first indication was on that very Wednesday night. Until that moment in time we - the details of that which was planned was withheld, in terms of operating on a need-to-know basis in case any of the different pairs had been picked up. Up to that stage the impression that we had was that we were going to - either do surveillance and/or monitoring, or an actual break-in into the premises to try and retrieve information. It was only on that Wednesday, at the final briefing on the 11th of March, that Brigadier Goosen told us of that which was actually envisaged. And it was during that session that -when this came to the fore all of us were of one accord that that which was contemplated in terms of the SACP offices in Boot(?) Street could never be effected with absolute certainty of no loss or life or injury to any innocent bystanders because of the nature of the building and its proximity to the street. But at that briefing we were told that this had been cleared at the very highest level by Mr Botha and Mr Louis Le Grange, who was then Minister of Law and Order, and that Mr Pik Botha, because of the probability of vast diplomatic fall-out, had also been

involved in the discussions and the authorisation, because I was informed by, I think, both Brigadier Goosen and Craig Williamson, both Minister Pik Botha had been tasked, amongst other things, to alert all the different embassies throughout - the South African embassies throughout the world in terms of a possible retaliation, without spelling out all the necessary details, to place them on maximum alert.

(Inaudible - end of Side B, Cassette No 4) ... in the building. But you don't say that you took ...

/(incomplete)

(incomplete) --- I took note of that comment, and that was ludicrous because, firstly, the bomb was timed, and it came - was to be timed, and it came out in the planning session, to go off in the early hours of the Sunday morning, the 14th, and - not so early, in terms of between 8.00 and 9.00 am, which would then afford us an opportunity of taking the first flight out of Heathrow. And it was also well known to us at that stage that the offices, being a Sunday morning, were probably going to be totally devoid of personnel, far more so in view of the fact that a contemplated rally was going to take place that Sunday morning in Trafalgar Square, where everybody with any affiliations with the ANC and the SACP was going to be present. And, if I remember correctly, it was actually during the course of this rally that it was announced by somebody there over the intercom that an explosion had taken place at the Kenton Street offices.

Finally, you travelled back via Frankfurt. Why Frankfurt? Was there any particular reason for that?

--- No, it was a question of just leaving London on

the first available flight to the first available stopover point to get a connecting flight back to South Africa. Frankfurt just happened to be the one. In fact I think some of the other teams diverted to other places first, like Brussels, possibly Amsterdam, and then finally linked up at Frankfurt with us.

Mr Chairman, that is it. (Pause)

CHAIRMAN: Mr Taylor, just looking at part of the application, it states that ... (intervention) --- I beg your pardon, on what page, Mr Chairman? (Pause) Anyway, you give us the quote and we'll find it.

/It states

It states that the Department of Foreign Affairs' idea was to link the ANC/SACP to the Soviets, and to use the United States to pressure its NATO allies to act against the ANC/SACP. Does that appear from your application? --- I have an idea this may be part of the annexure.

The annexure, sorry, yes. --- In terms of that is part of the submission of General Coetzee.

Is that General Coetzee's submission? So is that something was within your personal knowledge at the time, or is that a submission made by General Coetzee as to what the thinking ... (intervention) --- Yes.

... at a national level was. --- That is something that he bore personal knowledge of, yes.

It's not something that's contained in your application. --- No, it's not, Mr Chairman. It's the first opening paragraph 1.1. No, certainly he would have had cognisance of - and it's his thoughts and interpretations of the events at that time.

Just before we close, other than the matter for which you seek amnesty, and which you will be applying at a later stage for amnesty, do you - and obviously you are under oath - not know of any other matters in which you participated, or any other people participated, for which you or they may be charged or convicted for a criminal offence? Because in the nature of an amnesty application full disclosure is required, and you would be obliged to make disclosure of any other matters that you are aware of, whether or not you participated in them. --- I do comprehend that, Mr Chairman, and as far as I am concerned, and in terms of that which may or may not weigh /on my on my conscience, this is the only event in which I deem it necessary or a requirement of me to apply for amnesty, and in terms of anything else which I personally have been involved in I don't deem it at all necessary.

And you are aware that after the cut-off date for applications for amnesty should there be - should evidence arise, from whatever source, which links you either as a direct participant in the criminal offence, or as an accomplice or an accessory after the fact, that you may be prosecuted? --- I am aware of that.

MR GOVENDER: I think the matter should be adjourned on the basis that we may require more information, particularly the amnesty and other - as we investigate the other matters that Mr Taylor has given us. The matter must not be terminated, but adjourned sine die. If the matter can be ... (inaudible) ... by a formal letter to ... (inaudible) ... rather than a subpoena again.

MR WAGENER: Whatever's the easiest, Mr Govender, but yes, you can do it any way that you think is the best. If it's really necessary we can try and stay longer now. If you want to we can make arrangements. Or otherwise - but we'll hear from you.

MR GOVENDER: It's not necessary to stay longer. In the event - as our investigations progress and we get more information if we'd like to confront Mr Taylor with, or from him, then I am indicating that we should adjourn these proceedings, and that we can then summon Mr Taylor again by merely a letter to you based on the subpoena that's already been sent out. Is that acceptable?

MR WAGENER: Can I offer some advice to you, Mr Govender, if I may? If ever you have interviews with witnesses and



/they refer they refer to a Mr Taylor, or a Captain Taylor, ask them specifically to describe the man physically. There seems to be some confusion between the two at stages. I realise it's a problem, but if you can, even if they don't know the first names, try to describe the man. Maybe it will help us in future.

CHAIRMAN: Okay. Thank you, Mr Wagener, for your attendance and co-operation.

MR WAGENER: Thank you. Thank you, Mr Chairman.

CHAIRMAN: Yes, thank you, Mr Brummer, for your assistance as well.

PROCEEDINGS ADJOURNED SINE DIE



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