

TRUTH AND RECONCILIATION COMMISSION

SECTION 29 INQUIRY

DATE: 29 SEPTEMBER 1997
NAME: DUMISANI MAHLANGU
HELD AT: JOHANNESBURG

DAY 1

CHAIRPERSON: Mr Muller, I believe you act for the next witness as well?

MR MULLER: It all depends who the next witness is. I was sort of briefed, but I didn't have (indistinct).

CHAIRPERSON: Dumisani Mahlangu.

MR MULLER: We tried to make appointments, but I haven't been, I haven't met him, I know that he wants me to represent him.

MR NOLSEN: Mr Muller's other client, Magagula who is scheduled for tomorrow, has come today.

CHAIRPERSON: Goodness, we are going to have to try and do some juggling. I believe your client who was scheduled for tomorrow has actually arrived today.

MR MULLER: (Indistinct - microphone not switched on).

INTERPRETER: Speaker's mike is not on.

MR MULLER: Chair, I have had the unfortunate privilege to meet Mr Mahlangu only a few minutes ago. He has asked me to be present, but I have not had the opportunity to consult with him

SECTION 29 HEARING

TRC/GAUTENG

fully. In view of my knowledge of the matter, I will be willing to assist him, but I won't take it any further than that. I do want to mention that I have only been able to speak to him with regards to the matter of Tshabangu. I don't know if any other claims were made against him.

CHAIRPERSON: Mr Mahlangu, will you take the oath please.

DUMISANI MAHLANGU: (Duly sworn, states).

CHAIRPERSON: This is an inquiry in terms of Section 29, it is an investigation inquiry. The objective here is not to make a finding, it is simply to receive information about the matters mentioned in the subpoena. Do you wish to make an opening statement before we begin? >

MR MAHLANGU: Nothing, Sir.

CHAIRPERSON: Mr Muller, do you just want to check, what language is your client talking in, because it seems as if he is a little uneasy.

MR MULLER: Zulu. Chairman, it is channel 3. Is it correct? It appears that he wants to speak Zulu.

CHAIRPERSON: He wishes to speak Zulu? Okay. Mr Mahlangu, do you have any opening statement to make before we begin questioning you?

MR MAHLANGU: Nothing.

CHAIRPERSON: Thank you.

EXAMINATION BY MR NOLSEN:

Mr Mahlangu, I will just begin. I am sorry you have waited a long time for this and we will try to be as brief as possible, not to delay you any longer than is necessary. As I am sure you are aware from the subpoena, we are here today to talk about the disappearance of George Tshabangu, and if we could begin. In February of 1987, could you tell us where you were employed?

INTERPRETER: The speaker is not audible, maybe my ear-phone has got a problem.

MR MULLER: It seems there is a technical problem with the ear-phones, we will just quickly fix it.

CHAIRPERSON: Could you repeat your answer, please?

MR MAHLANGU: I was employed by the KwaNdebele police.

MR NOLSEN: Were you a member of a particular unit at that time?

CHAIRPERSON: When you speak, could you please leave that mike on, press the red button. Thank you.

MR MAHLANGU: May you please not ask those questions, please just answer.

CHAIRPERSON: Is there something wrong, Mr Mahlangu, what is the problem?

MR MAHLANGU: I am able to hear now, you can continue.

MR NOLSEN: In February of 1987 you were a member of the murder and robbery unit, based at Siyabuswa. Is that correct?

MR MAHLANGU: Yes, that's correct.

MR NOLSEN: Who was your commanding officer at that time?

MR MAHLANGU: If I remember well, Warrant Officer Boshoff.

MR NOLSEN: Did you go to the Bundu Inn in Denilton on February 6th, 1987?

MR MAHLANGU: Even if I don't remember the date correctly, but I did go there.

MR NOLSEN: Why did you go there that day?

MR MAHLANGU: They said we should go and help to look for somebody called George Tshabangu.

MR NOLSEN: Were you told why you were supposed to look for George Tshabangu?

MR MAHLANGU: They said he took part in armed robbery at Top Stop Garage.

MR NOLSEN: Can you remember, Mr Mahlangu, who gave you this information, was it one of the members of your unit perhaps?

MR MAHLANGU: I heard from the office.

MR NOLSEN: Who was at the Bundu Inn when you arrived?

MR MAHLANGU: I don't understand the question correctly. Do you mean to those we were with or whom we found in Bundu Inn?

MR NOLSEN: Let me just ask very specifically, did you find George there?

MR MAHLANGU: I don't remember because I didn't know George Mahlangu then and I didn't know what type of person he was.

MR NOLSEN: Were any rooms searched while you were at Bundu Inn?

MR MAHLANGU: Some of us went to search.

MR NOLSEN: Were you one of the people who went to search the rooms?

MR MAHLANGU: No, I was not part of the group which went to search.

MR NOLSEN: Did one of the members of your group tell you what they found in one of the rooms?

MR MAHLANGU: No, they didn't tell me.

MR NOLSEN: Mr Mahlangu, maybe to speed up this, or Inspector Mahlangu to speed up this process, if I could just ask you first, to give us your recollection of that day's events. Any arrest that was made, any questioning that took place, any further investigations that were conducted, just so that we can get a sense of what you recall from that day and then perhaps we can ask for further particulars.

MR MAHLANGU: In many instances, I would be left in the car, because I would be left to guard the cars. So that's why I do not have the knowledge of what they did.

CHAIRPERSON: What we are asking you, is you went to the Inn. You went to the Bundu. Now once you got there, tell us what you did and what you remember of your visit there that particular day.

MR MAHLANGU: I was left outside, guarding the cars.

MR MOHEMA: Mr Mahlangu, including yourself, how many of you went to the Bundu Inn?

MR MAHLANGU: I don't remember how many we were.

MR MOHEMA: Maybe you can try to tell us their names, because they were, I believe, your colleagues?

MR MAHLANGU: Those I remember I can mention their names.

MR MOHEMA: Please proceed.

MR MAHLANGU: Yes. Sgt Van Schalkwyk, Kritzinger, Warrant Officer Magagula, Sgt Mathiele and myself.

MR MOHEMA: So you were about six.

MR MAHLANGU: Yes, that's correct.

MR MOHEMA: Was Jacob Mpundle not available?

MR MAHLANGU: He was present.

MR MOHEMA: So from the - you said you were inside the car, you guarded the cars?

MR MAHLANGU: Yes, that is true.

MR MOHEMA: So when they returned from the rooms, how many were there?

MR MAHLANGU: I don't remember how many they were.

MR MOHEMA: Were there any strange persons among them?

MR MAHLANGU: I didn't see that person.

MR MOHEMA: Which means they were still five?

MR MAHLANGU: I cannot answer to that.

MR MOHEMA: You are an investigator and then you were an investigator by that time.

MR MAHLANGU: Yes, that is correct.

MR MOHEMA: You recorded everything in your progress book.

MR MAHLANGU: Yes, I wrote my cases which I was engaged in.

MR MOHEMA: But according to the procedure of your pocket book, you were supposed to report every happening, every activity which took place, every day.

MR MAHLANGU: The one who was the investigating officer of that case, would be the one who would record it in his record book, because we just accompanied him.

MR MOHEMA: You were on duty that day, you were just there.

MR MAHLANGU: I was at work. They requested us that we should go there and then investigate that person whom they wanted.

MR MOHEMA: So from there you went back to the office?

MR MAHLANGU: That is correct.

DR ALLY: Did you accompany the other officers to the house of the girlfriend, George Tshabangu, Connie Mokoena?

MR MAHLANGU: I don't remember, because I don't know even his girlfriend.

DR ALLY: What do you remember, do you remember going back to the police station after visiting the Bundu Inn or do you remember going somewhere else?

MR MAHLANGU: I remember that we went to a certain place when we left there.

DR ALLY: This place was not the police station?

MR MAHLANGU: It was the village.

DR ALLY: So this certain place was probably the place where you went to go and look for George Tshabangu, because that is after all who you were looking for?

MR MAHLANGU: Yes, they were looking for George Tshabangu.

DR ALLY: Did you find George Tshabangu there?

MR MAHLANGU: I don't know whether they found him, but always I was left with the car.

DR ALLY: You came out from the house that they went into. Was Mr Mtombeni with you?

MR MAHLANGU: Yes, he was with us.

DR ALLY: Mr Mtombeni says that they went to the house of George's girlfriend, Connie Mokoena, that George was found at the house. Do you recall that?

MR MAHLANGU: I don't remember that.

MR MOHEMA: Was your work just to guard the cars?

MR MAHLANGU: Yes, I was guarding the cars because all of them would leave and search, then I will be left behind so that people should not steal things in the car on that day.

MR NOLSEN: Mr Mahlangu, during your time as a policeman, how many suspects have escaped from your custody?

MR MAHLANGU: In my hands or in my custody, nobody escaped.

MR NOLSEN: In your presence, when you were part of an investigating team, has anyone escaped during your part in the team in a team investigation?

MR MAHLANGU: I don't know how he escaped, because I said, whilst I was still an investigator, doing my work, nobody ran away from me or escaped from me.

DR ALLY: Let's get back to this arrest of George Tshabangu. You said that after the Bundu Inn you went with the police officers to another place, to the village, not to the police station. So one assumes that you went to the place where you were going to look for George?

MR MAHLANGU: Yes, they were going to look for George.

DR ALLY: Now how can you not recall whether or not George was found at this place? How can you not remember that?

MR MAHLANGU: It is because I don't know him, I don't know his features. There were those who knew him.

DR ALLY: But he was taken from the house and put into one of the cars, that had gone to go and look for him.

MR MAHLANGU: Yes, there was somebody, I don't know whether that was George or not.

DR ALLY: Were you there when he was picked up?

MR MAHLANGU: That is correct.

DR ALLY: And then this person was taken where from there?

MR MAHLANGU: It seems they took him to Siyabuswa office with a car.

DR ALLY: Siyabuswa office, yes, okay. Now once he arrived at the office at SOBIA, which is murder and robbery unit, because that is

what we are speaking about. He was taken to the Siyabuswa murder and robbery unit. Correct? This person who you assumed to have been George.

MR MAHLANGU: They took him to Kritzinger's office, because he is the one who was in charge of the case.

DR ALLY: Now were you involved at any stage in the questioning of this suspect?

MR MAHLANGU: I was present when he was interrogated, I don't know actually whether it was George or not.

DR ALLY: How can you be present when somebody is interrogated and you don't know who you are interrogating?

MR MAHLANGU: I am not responsible for that investigation and I didn't look for him.

DR ALLY: Were you present when this person was interrogated?

MR MAHLANGU: Yes, I was present.

DR ALLY: But you don't know who you were interrogating, you don't know the name of the person you were interrogating?

MR MAHLANGU: I didn't ask.

DR ALLY: Did you ask any questions of this person who was being interrogated?

MR MAHLANGU: No, I didn't ask.

DR ALLY: What was your role in the interrogation?

MR MAHLANGU: I was listening when he was interrogating him, as to what they are trying to dig out of him.

DR ALLY: Tell us what did they try and dig out, I mean, what questions did they ask him?

MR MAHLANGU: They said they were looking for a gun.

DR ALLY: Looking for a gun?

MR MAHLANGU: That is correct. He said he would take them to the place where he put it.

DR ALLY: They were looking for a gun and he would take them to the place where he put it?

MR MAHLANGU: That is correct.

DR ALLY: Did he just offer this information like that?

MR MAHLANGU: I heard them, I then left and went to my office.

DR ALLY: How long did you approximately, give us some idea, how long did you stay in the room in Kritzinger's office while George was being questioned?

MR MAHLANGU: It would be around, approximately 50 minutes.

DR ALLY: Now is it true that during the questioning of the suspect, George, you actually left the unit, you left the building, the Siyabuswa murder and robber unit? Did you go off the premises?

MR MAHLANGU: Yes.

DR ALLY: Did you leave the premises in a fawn-coloured Kombi?

MR MAHLANGU: I was driving an Audi.

DR ALLY: Was Eric Magagula with you?

MR MAHLANGU: Yes, I was with him in an Audi.

DR ALLY: Where did you go to?

MR MAHLANGU: I was going to the police station.

DR ALLY: Which police station?

MR MAHLANGU: Siyabuswa police station.

DR ALLY: Did you fetch something from that police station?

MR MAHLANGU: I was going to pour in petrol.

DR ALLY: Is that all that you went to do at the police station?

MR MAHLANGU: Yes, I put in petrol. Approximately 30 minutes.

DR ALLY: When you came back, did Van Schalkwyk come to speak to you?

MR MAHLANGU: I don't remember.

DR ALLY: Did you give Van Schalkwyk anything, did you give Van Schalkwyk a brown case?

MR MAHLANGU: No, I didn't give him anything.

DR ALLY: Are you aware of the existence of a brown case?

MR MAHLANGU: You mean present?

DR ALLY: Are you aware - we have a sworn statement from one of your fellow police officers, which I am sure your lawyer will give you a copy of, which says that it was routine in interrogations, when witnesses did not co-operate, to apply electric shock treatment and this electric shock device was kept in a brown case, and that all the police officers in the murder and robbery unit were aware of the existence of this brown case.

MR MAHLANGU: I don't know the brown case. I will be happy if I may be shown that brown case.

DR ALLY: Further that we have a sworn statement from Stephen, the brother of George Tshabangu, that you together with Eric Magagula, drove away from where George was being interrogated, and that when you returned there was a brown case which was given to Van Schalkwyk. This is the statement the brother of George made, before he even had any knowledge and probably doesn't have any knowledge of the sworn statement we have from one of your colleagues, of the existence of such a brown case.

MR MAHLANGU: Maybe the person who made that statement know about the brown case, but I hear it for the first time.

DR ALLY: So when you came back, after you supposedly went to go and put petrol in your Audi, what did you do next?

MR MAHLANGU: Eric went to the office and then I went to the office.

DR ALLY: Did you enquire about what was happening to the person who you had brought to that unit that day?

MR MAHLANGU: We were informed that they would - he would go with them where he has stocked those guns.

DR ALLY: Who informed you of that?

MR MAHLANGU: I heard it from the office.

DR ALLY: Who in the office informed you?

MR MAHLANGU: It is Eric, because all the time I was with him.

DR ALLY: And did you have further involvement, did you accompany the policeman who went to go and look for whether these weapons were hidden?

MR MAHLANGU: I didn't go with them, because I was, because I didn't even care about this George.

DR ALLY: What do you mean you didn't even care about this George? You just now said you didn't even know who we are speaking about?

MR MAHLANGU: The person responsible for the case was the one who was supposed to accompany him. I didn't know what I was going to do there.

DR ALLY: But what do you mean that you didn't care for this George?

MR MAHLANGU: Because I was not in charge of this case.

DR ALLY: Yes, that I can understand, if you were not involved in his case, but what do you mean you didn't care for this George? That is a very different statement to say that I was not involved in the case?

MR MAHLANGU: I was just helping them only.

DR ALLY: Are you aware of the political conflict that was taking place in the area at the time? The fight around Moutse's incorporation into KwaNdebele and the fight around the independence of KwaNdebele?

MR MAHLANGU: I didn't know.

DR ALLY: You didn't know?

MR MAHLANGU: Yes.

DR ALLY: You knew absolutely nothing about what was going on?

MR MAHLANGU: I didn't know anything.

DR ALLY: As a policeman, were you at no stage told about this conflict?

MR MAHLANGU: There were those responsible for riots, but I was not part of that group.

DR ALLY: You weren't part of it, but I am asking you whether you knew about the conflict.

MR MAHLANGU: I didn't know what was the riots about.

DR ALLY: Did you know that some of the houses of your colleagues were petrol-bombed?

MR MAHLANGU: You mean my colleagues?

DR ALLY: Some of your colleagues. Did you know that one of your colleagues, for example, had his car, Ntombeni, had his car set alight by so-called comrades?

MR MAHLANGU: Yes, I know that.

DR ALLY: So how can you say you didn't know anything about the conflict?

MR MAHLANGU: I don't know the reasons behind setting that car alight.

DR ALLY: Was there a fight around the question of Moutse becoming part of KwaNdebele?

MR MAHLANGU: I say I don't know politics.

DR ALLY: Even if you don't know politics, I am asking if you know whether there was a fight around Moutse becoming part of KwaNdebele.

CHAIRPERSON: Answer the question, yes or no.

MR MAHLANGU: I don't know.

DR ALLY: Did you know that the murder and robbery unit was often asked to get involved in enforcing the emergency regulations in KwaNdebele?

MR MULLER OBJECTS: Mr Chairperson, I have established that that is not a fact at this stage which was found in this Committee. So that is an allegation which, I believe you can put to him, but that is not a fact.

CHAIRPERSON: Well, quite frankly, Mr Muller, it is an allegation which has been restated in a number of amnesty applications, of policemen operating in that particular area. It is, however, still an allegation, but I would like to hear your client's response to that allegation.

MR MULLER: I don't have any objection against him responding to an allegation, but it must be stated that it is an allegation and not a fact.

DR ALLY: Was the murder and robbery unit, to your knowledge, involved in some of the political activities in detaining people under the emergency regulations which took part during that period?

MR MAHLANGU: I don't know that we were only involved in criminal cases.

DR ALLY: Are you saying, for the record, that you have no knowledge or are you saying that you were only involved in criminal activities? What is it, that you have no knowledge or that you know for certain that the murder and robbery unit, of which you were part, you say it was not involved in any of the emergency regulations at that time?

MR MAHLANGU: We were only engaged with criminals.

CHAIRPERSON: Let me ask you this question. Who were the criminals; activists, people who opposed the government at the time?

MR MAHLANGU: Those who were taking people's property without permission and those who were harassing people and those who were assaulting and raping people, and many others.

CHAIRPERSON: How did you treat the comrades? Were they criminals?

MR MAHLANGU: I don't know comrades.

CHAIRPERSON: Where are you living, Mr Mahlangu?

MR MAHLANGU: In South Africa.

CHAIRPERSON: You don't know what comrades are?

MR MAHLANGU: No, I don't know what are the comrades.

DR ALLY: Have you never heard this word comrades?

MR MAHLANGU: I heard about that word, but I don't know the meaning of that word.

DR ALLY: So you say that your involvement in this case of Mr George Tshabangu, are you saying that it stopped the moment George Tshabangu was brought to the Siyabuswa murder and robbery unit?

MR MAHLANGU: Yes, that was the end of my involvement, then in the evening they went and then they said they are going to find out where the arms cache is. I heard later that he escaped. I don't know remember with whom I was in the car.

MR MOHEMA: (Indistinct - mike not switched on).

MR MAHLANGU: That is Eric.

MR MOHEMA: Which means you drove with Eric from Siyabuswa murder and robbery offices to that site.

MR MAHLANGU: I don't remember which room I was.

MR MOHEMA: In Mtombeni's statement he made mention of Stephen Tshabangu and Lucas Tshabangu, that they were taken from Bundu Inn to Siyabuswa murder and robbery offices, the very same day. Have you seen that?

MR MAHLANGU: I didn't see them. I don't know George, I don't know Stephen, I don't know the difference between the two.

DR ALLY: When you heard that the policemen had taken them, had taken George rather, to point out arms caches, you heard also that he had escaped? Is that what you said?

MR MAHLANGU: Please repeat your question?

DR ALLY: You said that you heard later that while George Tshabangu was being taken to show the policeman where the arms were hidden, that George escaped. You said that you heard that. Is that correct?

MR MAHLANGU: When I arrived I found them there. Then they said George has escaped.

DR ALLY: Who said this?

MR MAHLANGU: I don't remember who told me that.

MR MOHEMA: Can you maybe estimate what time you arrived there and how was the weather? Was it maybe cloudy or sunny?

MR MAHLANGU: I am not able to say that, I don't remember that, I don't know.

MR MOHEMA: It was early in the morning, it was during the course of the day?

MR MULLER: Is that when they went to the Bundu Inn or ...

MR MOHEMA: I just want to know when he followed them to where the stuff was.

MR MULLER: Can I just ask you to put it clearly to him, because I mean, I am in a bit of a ...

MR MOHEMA: No, he said he and somebody followed them. So I wanted to know from him if it is possible to give an estimate what time did he arrive at that place, at that scene, when he was told that George Tshabangu has escaped?

MR MAHLANGU: I don't know what time was it, but it was night.

MR MOHEMA: Now after getting that information, you went home and then what happened?

MR MAHLANGU: I went back to guard those cars where they were parked.

MR MOHEMA: So why were you guarding the vehicles, because George was - did they inform you when you arrived, did they tell you that George has escaped, then why were you supposed to guard the cars?

I will repeat myself. When you arrived, somebody informed you that George has escaped. Then you said you proceeded to guard the cars. Then why, because George was never there.

MR MAHLANGU: Because they were going around in that area to look for him.

MR MOHEMA: Then before you arrived there, who was in charge of the cars? Because they made a mistake by leaving you behind to come and to look after their cars. Who was in charge before you arrived?

MR MAHLANGU: I don't know who was there, because I was not present.

MR MOHEMA: When you arrived you then started to look after the cars.

MR MAHLANGU: Yes, I found it there.

DR ALLY: Do you know a Supt Ratlabane?

MR MAHLANGU: Yes, I know him.

DR ALLY: In what capacity do you know him?

MR MAHLANGU: I worked with him at vehicle theft unit.

DR ALLY: So did you know him quite well?

MR MAHLANGU: I know him very well.

DR ALLY: Is he a friend of yours?

MR MAHLANGU: He is not my friend, he is my branch commander.

DR ALLY: Do you know him to be an honest person? Do you trust him?

MR MAHLANGU: I don't trust a person.

DR ALLY: You don't trust him?

MR MAHLANGU: Not at all.

DR ALLY: Why not? Can you try and explain to us why you don't trust him?

MR MULLER OBJECTS: Chairperson, is this fair? I mean, he works with the guy and now he must give reasons why he doesn't trust him. It is unfair.

DR ALLY: No, it is fair. I would like to know why he didn't trust him. What's unfair about it?

MR MAHLANGU: I am not saying I don't trust him, but any person - I don't trust any person.

DR ALLY: Is not it important if you work together in a police unit, whether the two of you do your work effectively, there has got to be

some trust amongst colleagues, especially if you are working in the murder and robbery unit?

MR MAHLANGU: I don't trust any person.

DR ALLY: Would Supt Ratlabane have any reason to lie about the fact that people were arrested, were tortured, were electrocuted?

MR MAHLANGU: Maybe he is the one who was torturing those people, but I don't know.

DR ALLY: Are you suggesting that people were tortured?

MR MAHLANGU: I don't see when people were tortured and what happened to them there.

DR ALLY: So why are you saying maybe he was torturing people?

MR MAHLANGU: I am just replying only to that question which you have asked me.

DR ALLY: Were people tortured at the murder and robbery unit at Siyabuswa?

MR MAHLANGU: No, I didn't see, experience any torture of people at our unit.

CHAIRPERSON: Did you hear of any such incidents?

MR MAHLANGU: I didn't hear, I didn't even see them.

CHAIRPERSON: So to your knowledge torture never took place at Siyabuswa?

MR MAHLANGU: It never happened in my presence.

CHAIRPERSON: And you were never sent by anybody to fetch such a machine, a torture machine?

MR MAHLANGU: I don't know that machine which was just for torture.

MS SEROKE: After George was alleged to have escaped, you said you went back to look after the cars. How long have you looked after those cars whilst they went out to look for him?

MR MAHLANGU: I looked after those cars until I got tired.

MS SEROKE: How could you be tired, because Mtombeni said after they said that it was dark they went back to those cars and used the car lamps to look for him. How were you tired?

MR MAHLANGU: I was waiting there and they were looking around. They were tired looking on foot, so they went back to those cars and then drove around and using the car lights to look for him.

MS SEROKE: But you said you stayed there for a long time until you get tired. How? Because those cars were used.

MR MAHLANGU: I waited for a long time before they arrived.

MR NOLSEN: Mr Mahlangu, you said that while George was at the murder and robbery unit, you left for a short period of time, in an Audi vehicle. Whose vehicle was that Audi?

MR MAHLANGU: It was Eric's car.

MR NOLSEN: Was it Eric's personal car?

MR MAHLANGU: That's the car we used, we used to work with.

MR NOLSEN: But who owned the car, was it owned by Eric Magagula, or was it owned by the KwaNdebele police?

MR MAHLANGU: It was the police property.

MR NOLSEN: So why did you say that it was Magagula's car?

MR MAHLANGU: He was the one who was in charge of the car.

MR NOLSEN: I see. Why did you go to pour petrol during the middle of an interrogation?

MR MAHLANGU: I was the one who went to pour petrol because I didn't have work to do. I was waiting for them so that we should go and look.

MR NOLSEN: Did you meet anyone at the police station when you were there to pour petrol?

MR MAHLANGU: I wouldn't remember because there were many people working at that police station.

MR NOLSEN: Who poured the petrol?

MR MAHLANGU: That's myself.

MR NOLSEN: Did Magagula remain in the vehicle while you were pouring the petrol?

MR MAHLANGU: I don't know where he was.

MR NOLSEN: Did you go inside the police station while you were there?

MR MAHLANGU: Yes, the petrol tank is at the yard of the police station.

MR NOLSEN: Did you enter into the charge offices, or the commander's office or actually physically inside the office building?

MR MAHLANGU: I went inside to fetch the petrol book, then I filled that car with petrol.

MR NOLSEN: And when you returned to the murder and robbery unit, what did you do immediately after your return?

MR MAHLANGU: I went to the office.

MR NOLSEN: To your office or to the office where George was being questioned?

MR MAHLANGU: My own office.

MR NOLSEN: And when you went for further investigations at night, with Eric Magagula, was it a light evening, was it a dark evening, do you remember what it was like that night?

MR MAHLANGU: I don't understand your question, what are you saying it was at night, whether it was light or dark? I don't understand your question.

MR NOLSEN: Was there a moon, was it possible to see outside without the aid of lights or was it pitch dark outside that night?

MR MAHLANGU: I don't remember.

MR NOLSEN: When you arrived at the scene late, could you see your fellow colleagues standing, looking for George?

MR MAHLANGU: No, I was not able, I didn't see them.

MR NOLSEN: Were you not able to see them?

MR MAHLANGU: It was dark.

MR NOLSEN: So it was too dark to see someone?

MR MAHLANGU: You wouldn't see a person, you would only see him when he is nearer to you.

MR NOLSEN: Could you see any torches that were carried by your colleagues?

MR MAHLANGU: No, I didn't see any torches.

MR NOLSEN: Did you yourself bring a torch that evening?

MR MAHLANGU: I don't remember, but torches always remained in the car.

MR NOLSEN: So there should have been a torch in your vehicle that evening?

MR MAHLANGU: That's possible.

MR NOLSEN: Is it usual to have a shovel or a spade or something with you if you are going out to look for an arms cache?

MR MAHLANGU: Yes, it is important.

MR NOLSEN: Did you have a spade with you that evening?

MR MAHLANGU: No, I didn't have anything with me, because I was going to look after the cars.

MR MOHEMA: I'm sorry. Your intention in following them was to guard the cars only?

MR MAHLANGU: Yes, I was always looking after the cars.

CHAIRPERSON: Tell me, how many years have you been an inspector?

MR MAHLANGU: 19 years.

CHAIRPERSON: What position - do you still hold the position of inspector now in the police force?

MR MAHLANGU: I am the investigating inspector, which looks after the cars.

CHAIRPERSON: I don't think we have any further questions to you, but I want to outline to you what the provisions of Section 29 are.

If any person who wilfully furnishes the Commission, any such Commissioner or member with any information which is false or misleading, and this is particularly relevant for you, having been subpoenaed in terms of this Act, without sufficient cause, fails to attend at the time, and place or fails to remain in attendance until the conclusion of the meeting in question, shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years or both such fine and such imprisonment.

I was deeply disturbed outside, when I heard your comments, about your deciding when or not you will come to this subpoena. If you are subpoenaed in terms of this Act, you come here, you remain in attendance until I decide you actually should leave here. Any such impertinence, as I have heard before, is something which I treat as contempt. I thank you for having come today. We will notify you and I hope you take what I said into account, that if you

have made any false statement to us, we are going to hit you with perjury so quickly. Thank you, you may be excused. Mr Muller?

MR MAHLANGU; Thank you, because I have told the truth.

MR MULLER: I'm sorry, What you also read to remain until the investigation is concluded. What does that mean? What do you actually say, can he leave now or ...

CHAIRPERSON: He can leave now.

MR MULLER: Can he leave. Thank you.

CHAIRPERSON: Mr Muller, is your next client ready for this.

MR MAHLANGU: Should I go back home?

CHAIRPERSON: Whatever you want to do remains up to you.

MR MAHLANGU: May God bless you.

WITNESS EXCUSED

