

TRUTH AND RECONCILIATION COMMISSION
SECTION 29 HEARING
"IN CAMERA"

DATE: 03.06.1997 NAME: MR W LIEBENBERG
HELD AT: CAPE TOWN

CHAIRPERSON: Welcome. This is a Section 29 inquiry. It's an inquiry, an investigative inquiry in terms of Section 29 of Chapter 6 of the Act. Generally I have to indicate that it is an investigative inquiry, an information-gathering exercise and it's being held "in camera" in the sense that no other persons other than the members of staff of the Commission and of course any person who is required to produce any article or to give evidence is entitled or permitted to be here.

Of course it is stated in Section 29(5) that any information that has been gathered in this investigation shall not be made public until the Commission has determined otherwise, or until at any proceedings in any court of law such information is determined by the Commission to be produceable.

I have to indicate that in terms of the law the interviewee today is entitled to legal representation and that much is very clear because he has taken the opportunity to be represented not only by an attorney but also by counsel.

It is the general expectation of those of us who are conducting this inquiry that questions that will be put will be answered by the witness as fully and as honestly as the witness is capable of doing so, but I must emphasise that Mr Liebenberg here is not on trial, that we are not conducting a prosecution. The questions might be robust but they are not intended to put him on his defence because he has not committed any crime as far as the proceedings here are concerned.

We would hope that it should be possible for us to wind up these proceedings by lunch time. I have to say that there has been provision made for a tea break which I think we will take at or around 10:30 and there is also provision made for lunch. I have to introduce the members of the panel. Starting from my extreme left I have Mark Killian, who is one of the investigators in the unit. Next to him on his right we have Pumla Dwane-Altman, one of the investigators as well. To my right we have one of the investigators Zoelpha Carr.

As part of the proceedings there is a requirement that a witness who will testify in these proceedings must take an oath or must make an affirmation and that is what we should do next.

MR LIEBENBERG: (sworn states)

CHAIRPERSON: I would require both of you to place yourselves on record or the person who is going to conduct the inquiry.

ADV LE GRANGE: Mr Chairperson my name is Andre le Grange. I am a member of the Cape Bar. I appear for Mr Liebenberg today. I am instructed by Mr Steven Claasen who is also present from the firm De Klerk & van Gend, Cape Town.

MR CLAASEN: Mr Chairman I believe I do not have to introduce myself now since Advocate le Grange has taken the liberty, but I am Steven Claasen then from De Klerk & van Gend.

CHAIRPERSON: Very welcome gentleman. Is there anything that you would like to say by way of opening remarks Counsel?

ADV LE GRANGE: Mr Chairperson only one aspect. We were handed a transcript of an interview which was held with Mr Liebenberg on the 8th of November 1996 by investigators of the Commission. In principle we don't have any objection to that document being used in the proceedings today. We do not want to be obstructive. My instructions are that Mr Liebenberg would like to cooperate with this Commission.

On perusing this document we found that there were major portions of the evidence which was not transcribed. Unfortunately it seems as if the original tape recording itself, the tape, was erased. Mr Claasen yesterday did contact a member of the Commission, Miss Barends, and she informed him that unfortunately the original cannot be traced or was actually erased. So I would call upon this Commission in when questioning the witness on what is said in this document and what is transcribed one should not be too strict on the interpretation and on the exact words that do appear here. It seems as if some liberty was taken by the transcriber. I do not think that the investigators speak English like this as it is transcribed and nor do I think that my client talks like this because some of it is completely incomprehensible. So with that in mind I would just impress on you to keep that in mind in questioning the witness. Thank you.

CHAIRPERSON: Thank you Advocate Le Grange. I have noted your indications. I may just remark that it is a perennial question in the Commission as to what should be transcribed, is it the original language or is it the translation thereof or is it the original language and the translation thereof. So it's quite a big problem, but I will attempt to guide the proceedings in the light of those remarks.

ADV LE GRANGE: I am indebted to the Chairperson. The original interview was held in English and it was transcribed in English. I don't think there is a language problem that caused - I think it's a tape recording in all probability that caused the problem. Thank you.

CHAIRPERSON: Well without further ado then we will proceed with the proceedings. Mr Killian.

MR KILLIAN: Thank you Mr Chair. Once again good morning Mr Liebenberg. We as the investigative unit would like to take this opportunity to welcome you to these proceedings. We want you to feel comfortable in our midst as it was said previously that you must understand one thing that you are not on trial here. Our main aim and objective today is to come to the bottom of the truth because that is why we are here. Also once again good morning to your Advocate and to Mr Claasen.

I would like you to give us a broad overview of your background, when you started in the Police and all the sections that you've worked in within the Police if you can just give us a broad overview of that.

MR LIEBENBERG: Mr Chairperson I would like to proceed in Afrikaans. I commenced duty on the 1st of March 1979. I went to the Police College and in December of the same year I was transferred to Cape Town investigative unit. I was affiliated to the investigative unit for two and a half to three years. In mid-'83 I went on an officer's course in Pretoria whereafter they transferred me back to the Security Branch in Cape Town. I was placed in the investigative unit there since I was an investigator before, and in the course of time as there were more explosions and more infiltrations from MK members it was deemed necessary to start a tracing unit of which I was placed in charge. It was but a small group of persons. I worked there until 1989.

In 1990 I moved to the regional office of the security branch in the Western Cape. I dealt with the desk dealing with ANC activities. From '91, '92 and '93 I was placed in the firearm tracing unit also as commanding officer there. Thereafter I was transferred to Woodstock investigative unit where I was the commander.

Approximately 1995, October, I was transferred to Sea Point and approximately June/July 1996 I was transferred to the largest investigative unit which is Cape Town, as station commander. Thereafter in January

of the year I was moved to the regional office of the West Metropole area to the investigative head's office. On 31st May, which was Saturday, I finished off my services in the Police Force.

Before joining in 1979 from 1973 to '79 I studied at the University of Stellenbosch.

MISS DWANE-ALTMAN: Good morning to you again Mr Liebenberg. The one question that I would like to ask you, you mention that you were transferred to the Security Branch and you were part of the investigation unit there, could you just tell us a bit about what the tracing unit did during those times? I mean what their duties were and so forth.

MR LIEBENBERG: At first Mr Chairman when I started with the investigation team we investigated cases like illegal literature, minor offences in political sphere but which was not handled by CID.

During 1985, I think it was June, Cape Town all of a sudden received quite a few attacks. There were handgrenade attacks firstly and thereafter there were bomb explosions inter alia and at that stage we had to establish who the persons were who were involved. We had to go and do our homework to establish which MK members had infiltrated from the outside, which weapons were being used in the Cape area and which people were involved. We then tried by way of sources from the rest of the security branch to gather information. Any policeman, investigative officer or anyone who had information on anyone who was possibly in possession of weapons which could be used in the commission of such acts and often the help of rehabilitated people was used. These were people who were trained in the MK and who were then now working for the police since they were able to easily identify the other MK members because they were all trained outside the country it was much easier for them than for us to identify them by way of photographs, because sometimes the people would have been out of the country for several years and our photographs of them would have been outdated.

Our work was then to follow up all information and where possible arrest people and seize arms and then prosecute them in court. I trust that that answers your question Madam?

MISS DWANE-ALTMAN: When you talk about sources would you have sources in the areas, could you just clarify that for me please?

MR LIEBENBERG: Yes that is correct Mr Chairperson, especially the intelligence unit of security, the people gathering information. The security branch was very large and consisted of several people who were tasked with operating in certain areas, others were tasked with obtaining information from certain organisations. We at the investigative unit did not have that many sources because our task was more to follow up on information which we obtained from other people.

MISS DWANE-ALTMAN: What criteria did you use to sort-of get these sources? I mean how did you identify your sources in particular areas?

MR LIEBENBERG: It would have been anyone who appeared and offered/volunteered their assistance, let's say per telephone, or even on the street in passing. I was never intensely trained in the identification of sources. I never attended a course in that regard.

CHAIRPERSON: Mr Killian.

MR KILLIAN: Thank you Mr Chair. Mr Liebenberg you say you were never very involved with the sources, can you just - you also mentioned earlier that you all made use of ANC members who were rehabilitated?

MR LIEBENBERG: That is correct Mr Chairperson.

MR KILLIAN: Did you yourself make use of such people?

MR LIEBENBERG: Yes that is correct. These people would have come down Mr Chairperson and would be briefed by us about who we were looking for in the area and what possible information they could bring in. They had dealers(?) who would come in with them from C1 Unit in Pretoria, handlers, and from time-to-time they would report to their handlers who would report back to us and at times they would report directly to us depending.

MR KILLIAN: So in other words you would have contacted Pretoria if you needed a source to infiltrate any specific place?

MR LIEBENBERG: Yes Mr Chairman we would have said in our application who we suspect in the Cape so that whoever could identify that person could be brought to the Cape and would for example not be sent to the Eastern Transvaal but rather to the Cape. In the early years there were not that many of these people and you would have to hope against hope that you could get someone that could help you and sometimes a team would turn up and just inform us that they were coming to Cape Town since they had extra people and that they were prepared to assist us.

MR KILLIAN: And with the arrival of the team in Cape Town you would inform them about your problem areas and what you required of them because you already had your information and you would then brief your sources?

MR LIEBENBERG: That is correct Mr Chairperson. I do not understand your reference to problem area because they would not go and infiltrate any area where there were problems or bomb explosions but they would go and act where we suspected the people who were hiding in order to be able to identify them there. There was no set rule or formula that we used to say that if we went to stand there the people would possibly attack there. Not a problem area as such but possible areas where the people could be housed.

MR KILLIAN: What area did you send these sources into that where you could possibly see that people were possibly hiding, which area did you identify?

MR LIEBENBERG: Mr Chair since the rehabilitated people were mostly Black they were from Langa, Gugulethu, New Crossroads, KTC, Nyanga, Old Crossroads and Khayelitsha, that's where they were used but they moved all over, and the Coloured residential areas where they could gain easy access, they operated in Bonteheuwel quite regularly and tried to gain information there, Mitchell's Plain. The problem, however, is that because they were Black they weren't always accepted in the Coloured residential areas so they moved around mostly in the southern suburbs and in the Black residential areas.

MR KILLIAN: Who was the person who came down with his sources or the person - at least the person who came down to Cape Town with these people?

MR LIEBENBERG: Mr Chairperson initially it was Sgt Riaan Bellingham who came down on the majority of occasions. Sometimes it would be Sgt Douw Willemse, Sgt Chappie Klopper, an English guy by the name of Barry or Harry or something. I think there was someone by the name of Marius that came down from time-to-time. It was a variety of people who were the handlers. There were also Black people who were handlers and some of them were people who had been rehabilitated who had become policemen, others were policemen from the beginning.

CHAIRPERSON: Zoelpha.

MISS CARR: Mr Liebenberg can you tell me, just correct me if I am wrong here, in 1985/84 you were part of the Security Branch of the investigation department, am I correct Sir?

MR LIEBENBERG: That is correct.

MISS CARR: Okay. And then in that time as an investigating officer you would obviously get people that bring information to you, is that correct Sir?

MR LIEBENBERG: That is correct.

MISS CARR: And these kind-of sources as you would put it, would give you sufficient information and obviously you would keep a record of this, is that correct Sir?

MR LIEBENBERG: That is correct.

MISS CARR: And then further to that Sir you then filed this information with the names, is that so?

MR LIEBENBERG: That is correct.

MISS CARR: So they would also in turn form part of what you call "bronne" is that so?

MR LIEBENBERG: That is correct.

MISS CARR: Now this "bronne" they would then be what you would "rehabilitated people", is that what you would say?

MR LIEBENBERG: No, the rehabilitated people were people who came from Pretoria who were stationed at C1, at Head Office.

MISS CARR: So you would actually say that these people that come from Pretoria would be more rehabilitated, but in the same breath if these people were active in the area of say Langa, Khayelitsha, KTC they would also, and they would turn and give information they would also be called rehabilitated, is that so Sir?

MR LIEBENBERG: If they had any other intentions and they converted yes, because the people whom I handled I assumed were against the people from whom they got the information.

MISS CARR: Okay, now these people who gave you this - because the people from Pretoria would not have that much insight into the workings of the area here in Cape Town, would you agree with me Sir?

MR LIEBENBERG: That is correct, ja.

MISS CARR: So that is why it was very useful to utilise what sources you had here in Cape Town.

MR LIEBENBERG: That is correct, ja.

MISS CARR: Okay. Then when you actually, because as an investigating officer you would obviously as you have indicated, investigate numerous offences as you would term it, of illegal literature at the time and any other illegal activities which would be any kind of uprising, am I correct Sir?

MR LIEBENBERG: That is correct. As I have already said most of our information was obtained from the information gatherers. They did not investigate docket like us, they merely gathered information.

MISS CARR: I do not dispute that Sir, I do not dispute that, but what I am saying your sources of information that was not your only source of information. Your information also came from the people in the area which would be coopted with you, is that so?

MR LIEBENBERG: That is correct, ja.

MISS CARR: Now when you investigated cases you would utilise these sources to get information to put in your docket, am I correct Sir?

MR LIEBENBERG: The problem is that when you use information from sources you couldn't always include it in a docket because it couldn't be used as testimony. If the informer was going to go and testify in court he might have been able to use it in a docket. The information which they brought which could have helped with

an investigation could be included but it would not normally be under your A section which would be used as evidence unless you were going to use your source to testify in court.

MISS CARR: I hear what your Advocate has previously said in connection with the transcript of the record that was typed, but I now, bearing in mind the content of what you have said I now refer you to Annexure A page 4, paragraph 1. In there it says that,

"I handled the source, I was the investigating officer, in other words my source would be the information that goes into the docket".

Now what I am trying to clarify here Sir is that if the information that you received from your sources, what kind of information was regarded as being good enough to be put into the documentation, into the docket that was compiled for investigation purposes?

MR LIEBENBERG: Information which a source provided could be entered into the investigation diary which would then be followed up but if he gave a sworn affidavit it would fall under Section A. A case docket has a Section A, which is just after the cover page, that is what is used in court as evidence, those are sworn affidavits. The B Section would be post and correspondence. C Section would be the investigation diary where you enter all the information. Where you enter information about a source you can enter it there but several investigating officers tend not to enter their sources in a docket. Some do mention it, others do it cryptically, others do it more comprehensively, but it is of no use at the end unless their information leads to a fact and that fact can serve as evidence.

CHAIRPERSON: Mr Killian.

MR KILLIAN: Thank you Mr Chair. So in other words you say the information gathered will go into an investigation diary?

MR LIEBENBERG: Yes on occasion, and as I have said sometimes you didn't write it down there.

MR KILLIAN: No how many, I want to come back to the sources, how many rehabilitated sources did you use in the Cape Town area from 1985 onwards as you stated when more attacks, handgrenade attacks and bombings became more prevalent in the Cape then you started using these askaris, how many did you personally did you use?

MR LIEBENBERG: Chairperson there were a large number and quite a variety as well. The rehabilitated ones became more numerous and more freely available to go to the different areas. As I have said somebody would know somebody else and when you had a person who had newly infiltrated and who had been very recently in a camp abroad and you have a newly rehabilitated person accompanying him the rehabilitated people would have been allocated to newer and newer groups all the times to be available. Sometimes you would have two new ones and two people who weren't quite so newly rehabilitated and then more long term rehabilitated people all depending on the information available as to what MK members there were in the Cape.

MR KILLIAN: So you, before these people came in you would have identified a certain MK member within the Cape that you were looking for?

MR LIEBENBERG: That is correct, and in some cases we didn't know who these people were and we asked for assistance to come and have a look.

MR KILLIAN: So then you would contact Pretoria, write a request, they would then reply to your request and then send somebody who is familiar with this person. Then you will then, on their arrival you will give them a

full briefing of - we suspect that this person, say for instance Mr X is in Crossroads, but we don't have any identification of him, that we want you to go and get him out for us or what was the case? How did the person - what did he have to do to bring the person out or have this person arrested? What sort of information did he have to bring out to you so that you could react?

MR LIEBENBERG: That depended on the particular case, it varied. Sometimes they would go in and identify the person and that person would then go back to his handler who was a policeman, and the police would then act, they would arrest the person and bring him in. There was such a case at the Supreme Court once. I can recall other cases where they gathered the information, brought it to us saying that they had a possible address of a person and thereafter the place would be kept under observation. There was quite a wide variety of situations. I can remember another case where when the person identified an MK member, the MK member identified him in turn and shots were exchanged and the MK member was fatally wounded.

The rehabilitated people weren't that successful in the other cases in the Western Cape. As I said our information came from various sources. The first two MK members were arrested by the detective branch quite far apart time-wise. They followed up certain leads and performed the arrests. We performed many arrests ourselves especially after one person was caught it often happened that we could then arrest a second and third person.

CHAIRPERSON: Pumla.

MISS DWANE-ALTMAN: Thank you. I think we are going to now get into specific dates. If we look at your transcript which is referred to as Annexure A, you mention that about February and the beginning of March 1986 a Captain Bellingham from Pretoria came down to Cape Town, I think it's the first two lines of Annexure A.

MR LIEBENBERG: That is correct, yes.

MISS DWANE-ALTMAN: Would that be the dealer, the person who was handling the askaris?

MR LIEBENBERG: Yes, that is the handler, that is correct.

MISS DWANE-ALTMAN: Okay. Is he the person who is usually referred to as "Balletjies"?

MR LIEBENBERG: That is correct. I would just like to point out the fact that there was another Bellingham and I have realised now that there was some trouble between the two. The one was a red-headed man and he has since left the country, but this is "Balletjies" and his name is Riaan.

MISS DWANE-ALTMAN: Now if we go further into your interview, if you go into page 2, now this is with reference to these askaris, you mention that there were guys from Pretoria, if you look towards the last paragraph it says,

"Now these two elements proved to me that the guys from Pretoria weren't giving us the wrong information but they were infiltrated and they came out only, I think, on two occasions to come and report to us".

Now I need to know, these guys from Pretoria you are referring to would they be the askaris that were placed in KTC during that period?

MR LIEBENBERG: Those were rehabilitated people who infiltrated, yes?

MISS DWANE-ALTMAN: Do you remember their names?

MR LIEBENBERG: It was "Eric" and we called the other one "Whitey" or "Jimmy". He was also sometimes called "Joe". He was very light in colour and Eric's nickname was "Shakes", he was a short man.

MISS DWANE-ALTMAN: Would they at any stage have told you their full names, you know for example my name being Pumla Dwane-Altman, would you happen to know their surnames?

MR LIEBENBERG: Yes I think that they did, but I can't remember.

MISS DWANE-ALTMAN: Maybe if I can just remind you here, would the name Eric Maluleke ring a bell?

MR LIEBENBERG: It's possible but I can't say for sure that that is the same person. If I could see him I would be able to tell you.

MISS DWANE-ALTMAN: And maybe if I can go a bit further, you mention that Eric was short, do you remember - I mean considering that you explained what the other guy looked like, that he was light in complexion, do you remember what complexion he was during the time?

MR LIEBENBERG: Eric?

MISS DWANE-ALTMAN: Yes.

MR LIEBENBERG: When did I say Eric was shot?

MISS DWANE-ALTMAN: Short.

MR LIEBENBERG: Short, short sorry. He is a bit darker in complexion but not very dark as far as I can remember.

MISS DWANE-ALTMAN: And with respect to Jimmy, would Jimmy Mbane ring a bell?

MR LIEBENBERG: Could you just repeat that surname?

MISS DWANE-ALTMAN: Jimmy Mbane.

MR LIEBENBERG: It's possible. He had features like a Coloured person, you know very light in complexion and you know he would easily go through as a Coloured person as well.

MISS DWANE-ALTMAN: So these people who were sort-of placed in all these areas, KTC and so forth ... (intervention)

MR LIEBENBERG: They moved around, they moved around on their own and when they got on to something you know they would hang around, ja.

MISS DWANE-ALTMAN: Now regarding the information that you would get from those people I am mostly interested in Crossroads and those areas, Nyanga Bush, Nyanga Extension, you know all those areas, what kind of information would they bring when they came back to report to you?

MR LIEBENBERG: At that stage, Chairperson if I could just go back a little bit, if we look at this operation early in March ... (intervention)

MISS DWANE-ALTMAN: Is it March '85 or '86?

MR LIEBENBERG: '86. In March '86 they hadn't given us any information yet. They had not traced any MK people. The only people who could come up with something regarding a group, which according to them the rehabilitated people had had some training with these two people on this occasion. The others gave us no information.

MISS DWANE-ALTMAN: I'm a bit lost, you say that the people who were able to give you information gave you information that they were trained by two people, I don't know if I heard you correctly. Could you just repeat that last part.

MR LIEBENBERG: No. They told us that these people had undergone training, a variety of training methods and that the people were very militant.

MISS DWANE-ALTMAN: Would this be in KTC, Crossroads, where exactly was this training supposedly

happening?

MR LIEBENBERG: At that stage it wasn't quite sure where the training was taking place. The sources reported that the people were locally trained as well as abroad, but they didn't point out a specific place of training at that stage.

MISS DWANE-ALTMAN: Could they have identified their commanders by that stage, the people that were responsible for their training? Is that possible, I mean according to the information that you got from these people?

MR LIEBENBERG: I had to rely on the information given to me by the rehabilitated people and I think the majority of what they told me I put down in a document which I gave to the Commission during my Section 30 questioning. This information I only received in full after the incident.

MISS DWANE-ALTMAN: Now in this interview transcript if you refer back to page - to that last paragraph that I was referring to, you mention that these two people, these two askaris only came out to report to you on two occasions, do you remember the dates when that happened?

MR LIEBENBERG: The one date I can recall it was Wednesday before the incident. I think it was the 27th of February. The incident took place on Monday the 3rd and this was the Wednesday before. I spoke to Jimmy only. According to them they were being watched very closely by Rasta and the others and Eric felt unsafe to leave this place and he remained behind. Before that, I can't recall the exact date but it was in the week before, before they first told us that they had infiltrated this militant group. On that occasion both of them were present.

MISS DWANE-ALTMAN: So these reports would have happened in February, both of them, am I correct?

MR LIEBENBERG: That is correct.

MISS DWANE-ALTMAN: Now about the 27th of February 1986 you mentioned that you spoke to Jimmy, now what kind of information was he bringing to you apart from the fact that he was being watched very closely by Rasta? Were there any plans that he sort-of mentioned on that particular day that this group was you know planning on?

MR LIEBENBERG: Yes on the previous occasion he said that this group wanted to attack the police in some way, whether to attack a police station or whatever, and on this Wednesday he said that they had done some research, done an investigation and had decided to attack a police van used to transport policemen to the Gugulethu Police Station in the mornings.

MR KILLIAN: So were they, the two askaris, Jimmy and Eric were they based in the KTC area, because that is, I believe, where the information came from that the attack will most probably come from a grouping in the KTC area?

MR LIEBENBERG: Yes. Look they spoke to people as they moved and into various areas and in KTC they met up with this group, I don't know exactly how, but they became friendly with the group and that is how they were able to infiltrate the group.

MR KILLIAN: So then they had to bring out information to you, listen this is the commander of the group, and the grouping - the strength of the grouping and the firearms, did they bring that type of information out?

MR LIEBENBERG: Yes, they didn't state exact numbers. The youth group, the militant group was quite a substantial one but they also said that there were quite a lot of arms and ammunition in that group.

MR KILLIAN: Did they also bring out information that this grouping were responsible for some of the

violence that had occurred in Crossroads?

MR LIEBENBERG: I am not quite sure but before or after the 3rd they explained to us that this group had before that day had had some kind of operation and there had been a fight with another faction to test their strength.

MR KILLIAN: The other faction, do you remember their name, what they were called?

MR LIEBENBERG: I think it was a group similar to the Witdoeke, I don't know whether the Witdoeke were already in existence at that time, but this was a group which is located more towards Old Crossroads. So if the Witdoeke came after this group perhaps there was some similar background for these two groups.

MR KILLIAN: Mr Liebenberg, at that stage as you said in your earlier testimony that 1985/86 was a very volatile area the Western Cape, there was an escalation in handgrenade attacks and bombs.

MR LIEBENBERG: That is correct.

MR KILLIAN: Isn't it also true that during the '85/86 period there was this massive attack by the two groupings in KTC? Do you have knowledge about that?

MR LIEBENBERG: That is correct. It made it very difficult for us, my people in particular because they were searching that area for MK members because we had virtually no access any longer.

CHAIRPERSON: Miss Zoelpha Carr.

MISS CARR: Mr Liebenberg tell me in 1985, as you have said, there was much more uprisings, is that so? Or there was much more cases to be investigated?

MR LIEBENBERG: Explosive cases, ja.

MISS CARR: So from an investigative side your strategy had to change, am I correct?

MR LIEBENBERG: I don't quite understand, how would it have changed?

MISS CARR: The first thing you say you even had to bring in other people from other regions such as Pretoria to come and assist you with your investigative process, is that so?

MR LIEBENBERG: That is correct. You see in the past we were able with investigations into prohibited literature etc, you would find that your people would come and tell you that I saw this here and that there and these people had been infiltrated into politically active groups. When MK infiltrated they were far cleverer than that, they didn't go to political people or infiltrate political groups because they knew that the branch was watching them. The MK members were very well trained and they knew that they had to go to people who were not being watched by the security people. In other words they caught us unawares because we didn't know where to go and look, and where the people did go and look was where they had information from in any case, so in that sense our strategy had to change. We had to start moving around in the townships and residential areas. We had to go and look for these people because they didn't come and make contact with the UDF and people like that.

MISS CARR: So in a nutshell you are saying that your strategy had to change, am I correct?

MR LIEBENBERG: That is correct.

MISS CARR: Okay. Then further from that can I infer that when you say that your strategy had to change you had to come together with other groupings to come and - to try and re-strategise as to which way you go forward, am I correct Sir?

MR LIEBENBERG: Yes, the whole Security Branch had to now not only work with sources regarding political activity, they now had to deal with sources on the ground, for instance factory workers and teachers

etc, and they had to show them photographs and try and obtain assistance in that way.

MISS CARR: Besides those sources Sir, did you by any chance have to sit or did you ever come together with other State departments such as the Army, the Riot Squad to come together and together try and protect the safety of this country, did you do that Sir?

MR LIEBENBERG: The defence force's information related more to other things. On occasion, yes, we got together and exchanged information with National Intelligence and the defence force regarding MK members who could possibly be in Cape Town. There was always a problem. Each information component guarded its own information jealously. For instance National Intelligence on occasion had kept certain information about certain MK members to themselves before conveying the information to us and as far as MK people were concerned our cooperation wasn't that good.

MISS CARR: So besides the fact that you know each State department or whatever grouping were jealous and very protective about the information they had that there was sometimes a need that these groupings would actually come together and together act on whatever kind of actions or other kind of uprisings there would occur would you agree with me Sir?

MR LIEBENBERG: Oh yes with the cases of public violence and unrest, faction fighting and that sort of thing there, where there was a local problem people would join forces, but as I said as far as the foreign MK members were concerned and explosions, that was a bit more difficult. Those people never wanted to give us information.

MISS CARR: I understand what you are saying Sir but at the end of the day you people did come together, meet, and when it necessitated that you had to act to be able to be more forceful in what you are doing, but now you know everybody knows that June the 16th and certain others are very big days where a lot of uprisings would occur, would you agree with me Sir?

MR LIEBENBERG: That's correct.

MISS CARR: Now when such days did arise - or were there any directives that were sent to you people telling you what kind of actions to expect and what kind of actions to take?

MR LIEBENBERG: Yes. As far as my work was concerned in the investigative unit we didn't investigate public violence cases, that was done by the ordinary detective branches. We took note of possible marches and demonstrations and rallies. In other words my men who were looking for MK members had to just stay away from those particular areas because it could get a bit dangerous on these days when events were celebrated or there were marches and we would then try and stay away out of those areas such as for instance the 16th and so on. On those days I would never go to Gugulethu and so on.

MISS CARR: In the time of these uprisings and as a good investigator I would expect that you knew what other units were operating in the area, is that correct Sir?

MR LIEBENBERG: That is correct.

MISS CARR: And would you dispute it if I were to say that you knew more-or-less what kind of unit was operating in which area and what was the preference, would you dispute it Sir?

MR LIEBENBERG: Yes. I must point out to you that I was tasked with the investigation of MK members, not public violence cases, so if we are talking about problem areas, if there was an unrest area, were supposed to launch a certain operation with the backing of the Defence Force I wouldn't be aware of which platoon would work where, that wasn't in my line of duty. If those are the units you are referring to I must point out

that often happened that we would be busy searching MK members on a particular evening and that the motor vehicle branch would come and look for a car at the same place and that I would have no knowledge of that. I could happen where we went to a house to search for a person and where we would also meet up with the SANAP people searching for narcotics. So it wasn't necessarily so that we always knew where the other units were active.

MISS CARR: Do you regard yourself as a good investigator?

MR LIEBENBERG: Yes, to a certain extent.

MISS CARR: And you would not get any kind of promotion had you not been a good investigator, am I correct Sir?

MR LIEBENBERG: In those days people were promoted irrespective of merit, it's difficult to say.

MISS CARR: But do you regard yourself as being hardworking and you ...(intervention)

MR LIEBENBERG: I worked hard, yes, I worked very hard, yes.

MISS CARR: And therefore Sir I ask you again, did you know what kind of units were operating in the area doing other investigations of course, but as a good investigator and a person with foresight and a person that knows what is happening around him, as you say you are a good investigator, surely you should have known what was happening?

MR LIEBENBERG: If you could give me an example perhaps about what incidents you are referring to it would help. As I said to you if the Narcotics Bureau were busy with an investigation I wouldn't necessarily be aware of that but if you can give me a specific place and ask me what units would have been deployed there to investigate that might help. I could then perhaps give you an answer.

MISS CARR: Sir do you have knowledge what AOE No.10 Western Province was all about?

MR LIEBENBERG: That is correct. That was the unit, Riot Squad divisional riot unit. And that no.10 was for Cape Town.

MISS CARR: And what exactly was the role of this unit?

MR LIEBENBERG: This unit investigated all cases of public violence in the whole of the Western Cape. They dealt with all the unrests and uprisings and right up to today they still monitor the public security situation to prevent damage to life and property.

MISS CARR: And who was in charge of this unit?

MR LIEBENBERG: In '86? It was a colonel, I think Frikkie ...(intervention)

MISS CARR: Would I be correct to say that if it was Major Odendaal?

MR LIEBENBERG: No he was about second or third in command.

MISS CARR: Second or third in command?

MR LIEBENBERG: I think so, ja. Let's put it this way. He was the man on the ground, in the field. He was the man in the field who worked outside on the ground. The overall head was in the office and did the overall planning.

MISS CARR: Okay, thank you.

CHAIRPERSON: Mark Killian.

MR KILLIAN: Thank you Mr Chair. Now Mr Liebenberg I just want to take you back to your statement that you made during the inquest of what was then known, what later became known as the Gugulethu 7, I think that's Annexure B. It's Gugulethu GDO89-95/86.

ADV LE GRANGE: I did not receive such an annexure...(intervention)

MR KILLIAN: Because I know it was made available to you at the very first inquiry we had because - I don't know if Mr Liebenberg is in possession of...(intervention)

ADV LE GRANGE: May I say we do not have that statement Mr Killian. May we have a copy before we proceed.

MR KILLIAN: Mr Chairman at this stage I will then - he's going to make a copy then I will then hand over to Miss Pumla Dwane then I will come back to it once the copy is made.

CHAIRPERSON: Very well then, Miss Pumla Dwane.

MS DWANE-ALTMAN: In your earlier testimony you mentioned that to test their strength they had to fight with another faction, did you remember saying that?

MR LIEBENBERG: That is correct.

MS DWANE-ALTMAN: And you said this happened in a place that was located towards Old Crossroads?

MR LIEBENBERG: That is the way the rehabilitated people explained it to me.

MS DWANE-ALTMAN: Now wouldn't this be a way of actually participating in such a fight and helping the so-called comrades be a way of trying to gain the trust and confidence of the people that they had infiltrated?

MR LIEBENBERG: I wouldn't be able to say Chairperson, it is possible but the way I received the information the suggestion came from the commanding officer that they should go on such an expedition. I would once again like to say that I dealt on information received from the rehabilitated people.

MS DWANE-ALTMAN: So what happened I mean thereafter during this - do you remember what date that was when this fight actually occurred?

MR LIEBENBERG: No they did not specify and that is also why I cannot remember if it was before the incident was mentioned to me by them or thereafter.

MS DWANE-ALTMAN: Apart from these two askaris that went into -that infiltrated the area, are there any other people that you might have sent to gather information on your behalf?

MR LIEBENBERG: Yes at that specific stage there were at least four more rehabilitated people in the Cape who were moving around from place to place, driving around in search of information, possible MK members, that is correct.

MS DWANE-ALTMAN: Do you remember any of their names, maybe one or two, maybe three?

MR LIEBENBERG: Some of the other rehabilitated peoples' names I cannot remember. I myself had a source.

MS DWANE-ALTMAN: Could that have been Joseph Dhlamini? I think you referred to him in your interview?

MR LIEBENBERG: That is correct Chairperson.

MS DWANE-ALTMAN: Are you aware of any informer that had a similar name to someone who was called Lizo being sent into KTC and surrounding areas?

MR LIEBENBERG: Lizo, the only Lizo that I know Chairperson is a Lizo Bright Ncungwane(?).

MS DWANE-ALTMAN: Sorry could you repeat that, I didn't hear that?

MR LIEBENBERG: Lizo Bright Ncungwane.

MS DWANE-ALTMAN: What happened to him?

MR LIEBENBERG: He was a trained MK man who was arrested in Old Crossroads by the detective unit

approximately three weeks after the Gugulethu 7 incident.

MS DWANE-ALTMAN: So that would be around about the 21st of March 1986 or 31st, somewhere there?

MR LIEBENBERG: I would say round about the 20 something of March 1986, that is correct.

MS DWANE-ALTMAN: After the Gugulethu 7 incident did you at any stage meet up with Jimmy Mbane, do you recall any meetings after the Gugulethu 7?

MR LIEBENBERG: With Jimmy the rehabilitated, yes that is correct.

MS DWANE-ALTMAN: Do you remember the dates when you met up with him?

MR LIEBENBERG: Well that same afternoon I spoke to him, the afternoon of the 3rd of March.

MS DWANE-ALTMAN: Did he go back to the area after the incident to report to his comrades what had happened or did he just leave town, what happened?

MR LIEBENBERG: It is difficult to say Mr Chairperson, as far as I know he did not go back. I cannot remember if he attempted to go back. It was a point of discussion amongst rehabilitated people as to whether it would not have been too dangerous. I do not think he went back.

MS DWANE-ALTMAN: Are you aware of any meeting that occurred on the 31st of March 1986 at the Parade Shopping Centre when people from Nyanga Bush were arrested, supposedly with arms caches in their vehicle, do you remember that incident?

MR LIEBENBERG: I heard about that Mr Chairperson.

MS DWANE-ALTMAN: So you weren't present during that arrest?

MR LIEBENBERG: I was not present, no.

MS DWANE-ALTMAN: So it wouldn't be true to say that a meeting between you and Jimmy Mbane actually occurred on that particular date at the Parade?

MR LIEBENBERG: I do not believe so. The people who were involved there were Captain Paul Look of the local investigative unit and Sergeant Bellingham of the rehabilitated group.

MS DWANE-ALTMAN: This is on the 31st of March '86, during that arrest?

MR LIEBENBERG: They arrested three men there if I remember correctly Mr Chairperson.

MS DWANE-ALTMAN: What was your relationship with Mr Mbane, I mean apart from the fact that he brought you information? I mean how would you describe your relationship with each other?

ADV LE GRANGE: Mr Chairman I just want to correct one thing. Mr Mbane's name has been mentioned quite a few times. I think the witness stated that he agrees with the first name Jimmy, but he's not certain as to whether this in fact is Mr Mbane, for the record I just want to put that straight.

CHAIRPERSON: Ja I was thinking that we are proceeding on that basis.

MR LIEBENBERG: Well I would say that we got along very well. I trusted him as someone who was definitely working for the police and wanted to work for the police.

MS DWANE-ALTMAN: I just have one more question for you. Regarding the informers that were sent into the area, let's say Old Crossroads, Nyanga Bush, were there any other informers that you personally sent into the area?

MR LIEBENBERG: I had one informer who brought me good information in regard to an MK member who was allegedly in the Western Cape, that was earlier in 1985. Since we had the problem with a source who did not come out again to give more information it necessitated to activate my source and ask him to gather more information for me and see what he could observe.

MS DWANE-ALTMAN: Now would you inform people like these askaris that you had particular sources who were in the area, was there that kind of communication between you?

MR LIEBENBERG: They would have known that we had our own sources all over. I think that after this incident some of the rehabilitated people met my source.

CHAIRPERSON: I think this will be a convenient time to take the adjournment. We will adjourn for 15 minutes.

COMMITTEE ADJOURNS

ON RESUMPTION

CHAIRPERSON: We are ready to resume.

MR W LIEBENBERG: (s.u.o.)

CHAIRPERSON: Pumla Dwane.

MS DWANE-ALTMAN: Thank you. I just want to go back on this question of askaris, Jimmy and Eric. When they came to Cape Town did they have their own transportation?

MR LIEBENBERG: Mr Chair Mbelu was their driver and they did have a vehicle. Usually when people came down there would be at least one vehicle available which would drop them off wherever they wanted to be or wherever they planned to do ground work or browse around, and if it was raining they would drive around in the vehicle all day.

MS DWANE-ALTMAN: Now in '86, round about March what type of vehicle did they bring down to Cape Town, do you remember?

CHAIRPERSON: I cannot remember exactly Mr Chair. There was a vehicle which was on the scene where the shooting incident took place, a vehicle which was used by them. It was a white minibus if I can remember correctly.

MS DWANE-ALTMAN: Now when you talk about the shooting scene are you referring to the - what is known as the Gugulethu 7 shooting incident?

MR LIEBENBERG: That is correct, Chairperson.

MS DWANE-ALTMAN: Now that combi - I mean when they infiltrated Crossroads and KTC and all those areas was it - did it also go into the area or did someone else drive around in it?

MR LIEBENBERG: As I said Chairperson the policeman or the person, well it had to be a policeman usually who drove the vehicle because it was a police vehicle, would drop off people as I said or alternatively they would just drive or move around the area.

MS DWANE-ALTMAN: So it's possible that when they infiltrated KTC and all those places that they were driving around in that vehicle?

MR LIEBENBERG: That is possible Chairperson.

MS DWANE-ALTMAN: Now are you aware of - I mean you mentioned the shooting incident that happened between, not exactly in those words, but between maybe the Witdoeke and the so-called comrades before the Gugulethu 7 incident, are you aware of any combi being confiscated prior to the Gugulethu 7 incident outside Old Crossroads because of the shooting incident and so forth?

MR LIEBENBERG: I know about information which was gathered on my behalf by people about a minibus. We were to look for a minibus which was allegedly stolen because the two rehabilitated people who had infiltrated them our sources who infiltrated Rasta and his group were alleged to have stolen a minibus

some where and according to our information a minibus was traced which was linked to this case.

MS DWANE-ALTMAN: Was this prior to the Gugulethu incident?

MR LIEBENBERG: As far as I can recall Mr Chairperson, yes. I think it was further dealt with by the investigating officer thereafter.

MS DWANE-ALTMAN: The one more question I have, you mentioned that you were a member of the Security Branch and I would guess that you would know Brigadier Strydom?

MR LIEBENBERG: That is correct Mr Chairperson.

MS DWANE-ALTMAN: Are you aware, maybe you might not be, I mean he was your superior, are you aware of him having meetings with the so-called Witdoeke in the first few months of 1986, before the 9th of June attack in KTC?

MR LIEBENBERG: I cannot say Mr Chairperson. I know that there were negotiations between our policemen and the faction people but I cannot say where, how and by whom.

MS DWANE-ALTMAN: Do you recall what these negotiations were about, what they were about?

MR LIEBENBERG: I know that with the faction fighting there were negotiations to try and stop the fighting in some way or another and try and stop the violence in the residential areas especially Crossroads, Nyanga, KTC, Nyanga Bush and those regions.

MS DWANE-ALTMAN: Was this with one particular group or was it an attempt by the police to actually speak to both sides, do you remember anything?

MR LIEBENBERG: I wouldn't know Mr Chair.

MS DWANE-ALTMAN: Now the last question relating to this, what do you think was the attitude of the Security Branch towards the Witdoeke?

MR LIEBENBERG: Chairperson it's difficult to say but the way I saw it, because I was in a terrorist tracing unit looking from the outside in there were Security Branch men who had sources amongst the Witdoeke and then there were Security Branch members who had sources in the other group who were the comrades.

MS DWANE-ALTMAN: Now on the Security Branch side you mentioned that they had sources amongst the Witdoeke do you have a particular individual in mind who actually dealt with the Witdoeke, do you have any names?

MR LIEBENBERG: If I was to think back Mr Chairperson there was someone who had retired either as a Lieutenant or Captain, that was Flip du Toit who always had information in regard to the Witdoeke.

MS DWANE-ALTMAN: So was he basically a collector of information or did he do investigations, I mean what was his role in the Security Branch?

MR LIEBENBERG: He was an information gatherer.

MS DWANE-ALTMAN: Now after gathering this information, are you aware of a body called GIK?

MR LIEBENBERG: That is probably about the pamphlet which you provided me with. I know about a GIK, GBS and PBS, GIK is a joint information gathering component.

MS DWANE-ALTMAN: Now you have just mentioned these three structures, could you just elaborate about these three structures? Let's start with GIK, what kind - I mean you talk about it being an information kind of gathering structure, now who would sit on those structures and what would be discussed, I mean according to your knowledge?

CHAIRPERSON: Before you reply I would assume that GIK is an abbreviation, do you know what the full

...(intervention)

MR LIEBENBERG: It's "Gesamentlike Inligtings Komponent", "Joint Information Gathering Component.

CHAIRPERSON: Right, I just wanted that for the record.

MR LIEBENBERG: That was not my stronghold although from the pamphlets that you provided me with after I was nominated to attend a certain course, which I never eventually attended, but the fact that I was part of the Security Branch I came across the names and one would ask out of curiosity.

I served on a small local management centre, LMC, PBS in Afrikaans, which was in Gugulethu. And then I also served on the LMC in Bonteheuwel, sorry Bishop Lavis Police Station. I probably attended about three meetings and also in regard to the fact that the person who I mentioned, Lizo Bright Ncungwane and others were arrested, I was withdrawn thereafter to proceed with the investigative work and I wasn't used that much thereafter on such structures.

JIC, the Joint Information Centre consisted of VAKOM which was a component which came from the Security Branch and then an investigative branch member and then the defence force intelligence and the army intelligence and I don't know on which level National Intelligence served, but I would say these were the four groups which GIK would have been composed of, or the Joint Information Gathering Component.

MS DWANE-ALTMAN: Now I would assume that all these structures that you have mentioned to me were part of the Joint Management Centre kind of structure, am I correct?

MR LIEBENBERG: That is something which according to my suspicions which were aroused in regard to the Defence Force, the Army, the Army used such words in their language and it was brought through to the Police and other structures such as National Intelligence, and I think Minister Vlok was Minister at the time and he liked these committees very much.

MS DWANE-ALTMAN: Now I'll just take you through these ones that you have just mentioned to me one by one like the PBS, what did that stand for?

MR LIEBENBERG: The PBS was the Joint Management Centre, that is where the station commander would usually be the Chairperson. In my case there was a captain from the uniform branch who would be the secretary, it could also be any other member who would take minutes. There would also be a delegated investigator from the Detective Branch, a member of the Security Branch and then a member from the Army.

MS DWANE-ALTMAN: Now what would be discussed at this particular structure? I guess each structure had a different structure, I mean what would be discussed at a PBS meeting?

MR LIEBENBERG: At the JMC we found that the JMC was so small that it was basically just within its own borders. We discussed the JMC in Gugulethu, the LMC was that if the station commander, there was a way in which we could inform the station commander to warn his people in turn that they were not to go near to KTC on a particular day because there was a possibility that they would be attacked, or the commanding officer of the detectives could inform the detectives that if they expected violence and that they shouldn't go to that area. In other words just for the station in particular.

MS DWANE-ALTMAN: So it was a place where information was exchanged, am I correct?

MR LIEBENBERG: That is correct.

MS DWANE-ALTMAN: Now what about VAKOM itself, could you just tell me a bit more? I mean what would be discussed here at this level?

MR LIEBENBERG: The Security Branch member would come and give them any information which was

relevant to them.

MS DWANE-ALTMAN: Would we be referring to situations like unrest situations, say for example in KTC, Old Crossroads?

MR LIEBENBERG: Yes that is correct, where for example information was gathered at the Security Branch by the whole Security Branch as such, the information was sent through to that particular station that there was going to be a mass action in Bonteheuwel for example or in KTC, that the Witdoeke were going to attack, come down NY3, just so that station was aware of it.

MS DWANE-ALTMAN: Now were any strategies dealt with in that particular forum in order to sort of stop the violence? Did any planning occur in such forums like VAKOM?

MR LIEBENBERG: It was the one component which would go and sit at the local management centre. I never sat in a security committee, they were always senior people like the brigadiers and full colonels, I was but a lieutenant at the time. On the ground we found that the LMC was too small to deal with situations and it was phased out and within the first month it was handed over to a mini-JMC.

MS DWANE-ALTMAN: Just one more question. There's a terminology that puzzles me, referred to as the McEwan strategy, did you at any stage have any lectures around that? Would you know about it?

MR LIEBENBERG: I have heard about it.

MS DWANE-ALTMAN: So during that time in '85/86 was it ever - did you ever receive any lectures on the McEwan strategy?

MR LIEBENBERG: No, some people did, I cannot recollect who at Security Branch, but there was - people spoke about this. I can't remember whether Riot Squad people also spoke about it, but I knew this was mentioned.

MS DWANE-ALTMAN: Because I mean how I look at it, with the infiltration of askaris into KTC itself wouldn't it have been part of that strategy to actually have people infiltrating into the different areas to gather information, wasn't that part of the strategy, the McEwan strategy, referred to as the counter-mobilisation strategy, counter-revolutionary mobilisation strategy?

MR LIEBENBERG: I don't know the McEwan strategy at all. I have just heard about it as I have said and I don't know what it entails, I am sorry.

CHAIRPERSON: Mark Killian.

MR KILLIAN: Thank you Mr Chair. Mr Liebenberg who was the secretary of the JMC in Cape Town?

MR LIEBENBERG: Is the GBS in Afrikaans?

MR KILLIAN: Yes the Joint Management Centre.

MR LIEBENBERG: That is where the high people sat. I know of a someone that was on that JMC, it was a Colonel Trevor Vermeulen. I do not know if he was the secretary or the chairperson but I know that he was on management level.

MR KILLIAN: If you - when you received this information you would filter it through to the local management centre?

MR LIEBENBERG: I would filter through information which was relevant at the time. Information, as I said the entire Security Branch globally would obtain information and I would go to the smaller ones and as Security we would have had representatives who would go to the JMC. We would have had a representative who would go to the mini-JMC and I don't know what was higher than that, but we would probably have had a

representative there as well. My information which I would have filtered through to the wider JMC would be conveyed by that representative.

MR KILLIAN: So you for example would have obtained information from, as you say, the broader spectrum of the Security Branch that there was going to be an attack for example on the Witdoeke by the comrades and as you say a source or one of the other branches had a source in the comrades division, you would have had that information?

MR LIEBENBERG: The information which I would have carried through to the station would be that they should be careful in that regard and on the mini-GBS level, on a higher level, there were plans made in regard to the information which we filtered through.

MR KILLIAN: You are now in possession of the original inquest report. I just want to refer you to paragraph 3. You see in February and March 1986 I dealt with three sources who liaised very closely with militant groups in Old Crossroads and KTC squatter camp.

MR KILLIAN: My question to you is, as you said earlier in your evidence-in-chief, that at that stage as we would say there was a burning area would you then also have sources who - or at least a flashpoint, would you also have had sources who would have infiltrated the area?

MR LIEBENBERG: Chairperson at that time two were from the rehabilitated group and the third one was Dhlamini. And the Witdoeke - I had no one within the Witdoeke as such.

MR KILLIAN: So you did not regard the Witdoeke as a militant group and thus you did not see the necessity of using an askari to infiltrate this group?

MR LIEBENBERG: Mr Chairperson my duty was not to send the askaris to people who committed public violence at the time. I requested the askaris to trace terrorists for me. The fact that the deceased seven were trained people I regarded them as the same as MK and not as a faction-fighting problem. It was not my field though. My good fortune was in the sense that I had someone within KTC in the form of a person who had assisted me previously in the tracing of terrorists by providing me with information.

MR KILLIAN: So you regarded these factions not as political groups but as groups who were a kind of gangster element?

MR LIEBENBERG: No, I would say that politics were definitely involved if my assumption is correct Mr Chairperson, but not if - as I explained my duty was to arrest terrorists. In briefing rehabilitated people that landed here they were warned about the fighting which took place there and if any of them could infiltrate anywhere which was - after this incident at a later stage it became even more prominent because I think the faction-fighting between the Witdoeke and the Comrades worsened after the Gugulethu 7 incident. I think it escalated thereafter. I do not think that there were such serious fights before then and there was unrest in the area but on a smaller scale. With visits from rehabilitated sources thereafter they were asked to gather information from both sides because the Police's main aim was to protect the community, and when you had these two factions that were fighting there was damage that could be done to the local community and their property and it was the duty of the police and the army also took it upon themselves to protect the people. And of course the most serious or the best would have been to stop something like this before it even happened.

MR KILLIAN: You see in looking at your statement you will see that your sources for the short period that they were in Gugulethu and KTC they obtained very good information because your statement is very complete, because you mention all cases where the 7 were involved. And what I want to put to you is that your

source surely had to give you more information than we see here before us because in March to June the fight scene broke out in all earnest and you say that you had two rehabilitated askaris and there was the other one, was the other one still in Old Crossroads?

MR LIEBENBERG: The other one was still in KTC.

MR KILLIAN: So he was then part of the Comrades group which was more ANC or UDF orientated at the time?

MR LIEBENBERG: I would have said that that was more likely because as far as my knowledge goes, and I was somewhat limited on the two factions, was that the majority of Witdoeke came from Old Crossroads but that there were also Witdoeke in KTC, the same as the larger majority of Comrades were in KTC but there were also some in Old Crossroads, so he could have infiltrated any of these groups. He was a source who merely lived there. In other words he had easier access when I tasked him for this specific case. The information which he obtained thereafter he conveyed to the next whoever from the Security Branch since he became familiar with this incident as far as certain people were concerned. Because there was a Barnard who worked in that area who gave my source information several times in regard to people that were being sought by the Police, criminals, and also information on possible fights which could have erupted on a day or whatever he had heard. This source I assume sold goods whether it was alcohol or food or whatever he operated a kind of shop from his house and so obtained quite a lot of information.

The other two went back to Pretoria not long thereafter. If I could just explain it nicely, if we could look at the rehabilitated people they usually came down for a month, a maximum of two months and they would then go back and they would not come down for another two to three months. I can remember one occasion where they withdrew before the month had expired because their work which was the tracing of terrorists had become virtually impossible. The group which I had was a group of Black people and they could not move around in that area freely since they were strangers which were not known to either faction they risked the danger of being caught in the cross-fighting and at some stage they withdrew much earlier in the month than they were supposed to. The amount of times that they came down though I cannot say.

In this period in March after the investigative branch there had arrested this man for us I started with that investigation and became more involved in the arrest of the accomplices and I did not always work closely with the rehabilitated people.

CHAIRPERSON: Pumla Dwane.

MS DWANE-ALTMAN: You mention that you had a source that sold goods in the area, do you remember the name of that person, or is it someone that is referred to us in your statement?

MR LIEBENBERG: That is the person to whom I have already referred.

MS DWANE-ALTMAN: And then you also mention an incident in March where someone was arrested for you or something to that effect, would this be the same people that were arrested on the 31st of March or did this happen earlier?

MR LIEBENBERG: No that was a little bit earlier, round about the 20th, between the 20th and the 24th. He was a foreign MK man and he had been arrested by the detectives' sources in Old Crossroads. The sources gave the information and as a result of that the detectives acted and arrested him. There was a Captain Loock of the Detective branch involved in the arrest and also Sergeant Bellingham. And these two I mentioned with the incident of the 31st as well. It's a coincidence that they were together on both occasions, but they are two

different people.

MS DWANE-ALTMAN: But wasn't the role of Captain Bellingham to be the dealer and handle the askaris as opposed to investigating cases?

MR LIEBENBERG: Yes, it was to handle them but if information was received about a possible MK person, about his presence, he would act and he would assist us. In this case the detectives came with the information, if his own people had come with the information it's possible that my unit and the detective branch would have assisted him. If I had received the information Sergeant Bellingham would also have assisted me.

MS DWANE-ALTMAN: Sorry as a point of clarification you say this arrest happened in Old Crossroads on the 20th of March 1986?

MR LIEBENBERG: It was round about the 20th, 21st, 24th in that area, but it was in the early twenties of March.

MS DWANE-ALTMAN: Because I am just trying to wonder how this was possible considering that there was a lot of violence in the area. If I remember correctly at that time especially around the 20th of March people from Old Crossroads tried to get their belongings from New Crossroads because of previous attacks, now I am just wondering in that kind of environment how it was possible to actually effect such an arrest.

MR LIEBENBERG: Yes it's true that there were many cases of unrest. The detectives were busy with daily investigations regarding these unrest incidents and when there were faction fights the detectives had to do the inquests and had to find out who the culprits were and who had been killed, in other words they moved around in those areas and that's how they obtained the information. That is where my people had a bit of a drawback we couldn't obtain that kind of information.

CHAIRPERSON: Miss Zoelpha Carr.

MISS CARR: You say you used the askaris to infiltrate more the Comrades, to get information with regard to terrorists is that correct?

MR LIEBENBERG: Yes they had to infiltrate everybody ...(intervention)

MISS CARR: As well as the Witdoeke?

MR LIEBENBERG: As well as the Witdoeke especially ...(intervention)

MISS CARR: Okay...

MR LIEBENBERG: Especially after this man Lizo Bright was arrested. The rehabilitated persons were involved in gathering information and if I am not mistaken the arrest which took place on the 31st related to people from Old Crossroads and not from the Comrades fraternity and that was caused by the information obtained from rehabilitated people.

MISS CARR: Now you used these people to gather information for you with regard to any activities that was arising in the area, is that correct Sir?

MR LIEBENBERG: If they couldn't obtain information about terrorists they could gather and bring in any other valuable information and that would then be handed out to the relevant unit.

MISS CARR: Now you would agree with me that to be able to gather information you also have to give information, would you agree with me, to a certain extent?

MR LIEBENBERG: It depends on the situation. In my case I paid my informer for the most part with money.

MISS CARR: Yes, but what I am saying is that when you used these askaris in these areas to be able to retrieve information they had to in turn give information themselves so that they could get that information that

they really wanted, is that correct Sir?

MR LIEBENBERG: I wouldn't have been able to say in what way they infiltrated, I never cooperated with them on that.

MISS CARR: Maybe I should clarify myself, to be able to ask - for you to answer me I have to give you information or I have to put questions to you to gather information, is that correct Sir?

MR LIEBENBERG: That is correct.

MISS CARR: So in the same light as I have just expressed just so when they operate in the areas they have to give information to retrieve information, would you agree on this basis that I just said beforehand ... (intervention)

MR LIEBENBERG: I would say they have to ask questions to get the answers to that, yes.

MISS CARR: Okay. Now you were sitting on the PBS is that correct Sir?

MR LIEBENBERG: Yes.

MISS CARR: And on this PBS there were different bodies, different structures, there was security, there was military, all these structures, right, now you had to - if the askaris were very useful to you and it was very helpful then you have to use them to the best of your ability and to the best of everyone concerned because ideally you had the same objective in hand, in mind, is that correct Sir?

MR LIEBENBERG: Yes but the main fact to use rehabilitated persons on minor engagements would not have been cost-effective by head office, so if they went out say for instance in this matter and only collected information on say two rival factions, head office would immediately withdraw them. Their priority task was to gather information on trained MKs. But if they did receive any other information that was then handed over and in most of the occasions that was handed over by Bellingham direct to the branch. What was supposed to come to me would come to me otherwise he would report to the commander second in-charge or the commander of a certain gathering, say whether it's concerned with Black people or whether it was Coloured people or whatever it would be handed to the relevant desk.

MISS CARR: I hear you. I just want to further clarify something. In the event, say now not just the askaris but any other sources that you had, you had to structure and strategise as to how to use them to be most effective, that is what I am trying to ask you.

MR LIEBENBERG: Yes, but without causing him burn-out and extracting everything from him or to endanger his life.

MISS CARR: Based on that your own agreement that you had to use him which would be to the best of the ability for the whole unit because you had the same objective in mind.

MR LIEBENBERG: That's right, yes.

MISS CARR: Now bearing in mind that they gave, as we have agreed, to give information, to get information you have to give information so in that process you could - would you dispute it if I was to put to you that you could strategise as to what information could then go into the different sectors like the Witdoeke and the Comrades, because to a certain degree it could be infiltrated in both sectors by this PBS?

MR LIEBENBERG: I would say that if you really worked at that, yes, but as I have already said my rehabilitated people had a lot of trouble to be able to operate there. There was a stage when they were able to move around in those areas but I would agree, I see what you mean, that sources can be used to determine strategy and to do certain things, yes I agree.

MISS CARR: So we've got agreement here, so that you have some kind of power from the PBS to infiltrate both sectors and to a certain extent control, not control but influence a situation, we are in agreement with that, right?

MR LIEBENBERG: If I talk about the LMC I must tell you that the LMC in Gugulethu had very little information about anything. The station commander there had virtually no dealings with faction fighting apart from on a higher level if he perhaps was moved up to a mini-JMC and obtained the help of the riot squad, but at the ground level there was very little. That's why I said this LMC didn't even last a month, it then collapsed or was phased out because the information would be of such a negligible nature as opposed to what was available at JMC level because at that level, the JMC level there would be masses of information which was obtained from areas even outside Gugulethu, but at the LMC it collapsed. In Bishop Lavis as well. I think there was an LMC in the Claremont area also which managed to function for a while but the others all collapsed as a result of the very scarce information available.

MISS CARR: Would you mind just restricting to the question that is being posed please.

MR LIEBENBERG: Okay.

MISS CARR: What I am trying to ask you is that this PBS or the mini-JMCs or whatever structures there were could contribute effectively to what was happening in both sectors, would you be in agreement? Based on what you have told me now are you in agreement with that?

MR LIEBENBERG: At the PBS the information was mainly, mainly to get the information to the personnel on the ground to stay away. If I must look at Gugulethu itself our main objective there was to have all the staff of Gugulethu Police Station notified of any actions that there might be. It was also the station commander's duty to check on any of these personnel staying in the area where there might be a problem and they might be on rest days to have them warned prior to that.

MISS CARR: Mr Liebenberg what I am trying to say, if you people were dealing with askaris and sources and this was a controlling body, whether its the PBS or any kind of structure that body that had knowledge of the askaris and the sources could use the sources and askaris to the best of their ability which would benefit the body and the structure itself, would you agree to that Sir?

MR LIEBENBERG: If I can just say about the askaris, as you call them, the rehabilitated people were not known by the PBS. If I can go back to the year '86 then I could explain to you that the rehabilitated people from Pretoria were dealt with by means of highly secret encoded messages. They were a very secret group of people and at that stage the LMC and the ordinary policeman who didn't have official secrecy clearance or security clearance didn't know about these people.

MISS CARR: Okay, now then rather related to the sources then, okay. Now could they in any way contribute to the perceptions of both the Witdoeke and the Comrades because they had sources in both fields, could this body or bodies, whether it's the PBS or any higher structure positively contribute to the perception of the Witdoeke or the Comrades because they had infiltration in both sectors?

MR LIEBENBERG: Perhaps in higher groups where a lot of information was handled, if I can say at PBS level the detectives there had sources on both sides, but you know they could give a slight idea. What happened with information which came in it was processed and graded and if two or three or four sources said exactly the same thing then it gained credibility in that process. If the Riot Squad had to react to a single telephone call which said that there would be a certain fight in a certain area it wouldn't be a good idea for the

who not squad with all kinds of other back-up to be deployed there. It could turn out to be a waste of time ultimately.

All of the information was channelled to higher levels where it was checked up and placed in certain categories. It was either category A or B or C or Z, the categorisation I don't know what the specific terminology was but it was graded on a scale of 1 to 10 for instance according to the value of the information, the credibility, and then action would be taken on the basis of that. And with the scaling down of Gugulethu as the first LMC everything was then taken out of that station commander's hands because things were then discussed and planned at a higher level after that, in other words in our meeting at an LMC and then at a JMC meeting.

MISS CARR: In your honest opinion as somebody that was working there at the time would you say that both the police and the army or the security forces at the time, could have an influence on the perception, irrespective on which level, I know that on high level but things could be filtered down, could have an influence on the perceptions of the way the people looked at the Witdoeke and the Comrades, how the community itself interacted there?

MR LIEBENBERG: It is possible that organisation or that people could through their sources, like you say, change things to the way they would want it, ja.

MISS CARR: So when you say they could say that they could change things to the way they want to, if they wanted this violence to continue Sir, if, I'm not saying that they are, but say if they wanted to would you agree with me based on what you have just said now, based on what you have just said now would you agree with me that they could actually feel the violence as well?

MR LIEBENBERG: You know with all the departments participating in the process it would have been difficult for the police or the defence force, national intelligence to plan such a thing. It's a difficult concept and I can't see that such a thing would have been planned by such people but there is always a possibility. We have seen in overseas countries that it actually happened, so you are correct, where for instance a rebel organisation handled a certain situation in such a way that it was a real threat for the government, but it's frightening.

MISS CARR: You said that it's possible that it's correct, is that not so?

MR LIEBENBERG: I would say yes it's possible, but in this set-up, for the people involved here I am not quite so sure that it was the case but that's for the Commission to determine.

CHAIRPERSON: Pumla Dwane.

MS DWANE-ALTMAN: My last question to you Sir. If you can just go back to, if you can go to page 24 of that interview that was conducted in '96, you mention in paragraph 3 where it states,

"We were working on trained ANC terrorists".

now the question I would like to put to you is, after the Gugulethu 7 incident were you satisfied that you had finished dealing with so-called trained terrorists? Were you happy that this problem had been dealt with?

MR LIEBENBERG: No definitely not because you know the seven who were trained we arrested, or Lizo Bright was arrested soon afterwards, he had trained several people whom we arrested. I think two in Nyanga, four in Langa, one in Gugulethu, that were runners together with him and that were trained in South Africa. One of them planted a bomb at Mowbray Railway Station. We also knew that another externally MK member with the name of Mankane was still outstanding. A couple of months after that another externally trained

terrorist was arrested, and so it continued from then onwards, it just continued. People were arrested.

MS DWANE-ALTMAN: I see that you have mentioned all these areas like Nyanga, Langa, Gugulethu, didn't you have the so-called trained terrorists in Nyanga Bush and Nyanga Extension those surrounding areas, surrounding Old Crossroads?

MR LIEBENBERG: We went searching in KTC for arms and ammunition, that was, I think, at the end of May, that's when Lizo Ncungwane pointed out a certain place to us where we were told we would find limpet mines, and there was also a place where we went searching for a locally trained person. We also went to a house in New Crossroads where there was a landmine, allegedly, and also a locally trained person. We were, however, not able to trace him, to find him.

MS DWANE-ALTMAN: Now you mentioned that you had conducted a search in KTC, are you aware of any searches that were conducted after the arrest that was made on some people that came from Nyanga Bush and so forth after the 31st of March '86?

MR LIEBENBERG: In Nyanga itself, Nyanga Bush I know as a squatter camp. I am not aware of anybody who was arrested at the squatters section but we arrested two people in Nyanga itself at the proper houses. The one person had AK47 magazines under his bed and had a parcel of igniters for limpet mines and the other person, I think he was a teacher was in possession of an AK47. They were all in the group that Lizo Bright pointed out to us. But Nyanga Bush I can't remember whether we made any arrests.

MS DWANE-ALTMAN: Now this Lizo Bright I would guess he was connected to this man called Christopher or Rasta who was killed at the Gugulethu 7?

MR LIEBENBERG: No, he wasn't. He was arrested afterwards and he couldn't identify any one of these seven people as being a person that he had trained.

MS DWANE-ALTMAN: Is it possible that maybe he didn't want to identify them to show you that he was connected to them?

MR LIEBENBERG: Yes that's possible.

CHAIRPERSON: Mark Killian.

MR KILLIAN: Thank you Mr Chair. Mr Liebenberg did you personally have any meetings with any Witdoeke leaders?

MR LIEBENBERG: No Chairperson.

MR KILLIAN: You know that the Witdoek/Comrade faction was a group about which there was lot of discussion and in fact rioting, what was the attitude of the police toward the Witdoeke? How did they regard the Witdoeke?

MR LIEBENBERG: I think that the head, Johnson Nqombungwane(?) was the head of the Witdoeke and I took this person to court about a year or so before these fights. It was a case of corruption and it was alleged there was some kind of a corruption scam with housing in New Crossroads. Ultimately it happened that the witnesses were poor witnesses, they were too scared to testify and I lost the case against them. I must say I didn't like the man very much.

MR KILLIAN: Why? You've made the statement...(intervention)

MR LIEBENBERG: I took about 200 statements from people saying that he was engaged in corrupt practices and he took their money and he promised to arrange housing for them etc, and that is my honest opinion. I think that he knew that I didn't like him much because I told him that I knew he was wrong or guilty but I

could prove it.

MR KILLIAN: But generally speaking what was the attitude of the police towards the Witdoeke or the father faction?

MR LIEBENBERG: It would be difficult to say what other people's opinions were. I don't know who the leader of the other group was but I think there was a Prince Gqabinga who also played a role somewhere and there were other names. But what happened is that the police would have information about the one group on one day and then more information about the other group on another day, but whether it could be said that there was a good group or a bad group I must say that there was often a difference of opinion amongst the policemen but who the good faction would be, or the bad people, but I can't say what individual opinions were.

MR KILLIAN: Why I am putting the question to you is the fact that you were a VAKOM member, you took part in these meetings, as you said earlier the Warrant Officer Barnard, who later died, he moved freely in this group consisting mostly of people orientated towards the Witdoeke.

MR LIEBENBERG: No he went everywhere. Barnard went everywhere, he drove everywhere. I won't be able to say whether he actually took sides, I can't give an opinion on that, I never spoke to him about his preferences in this regard. At the LMC I never got close to any of the faction heads to express my preferences and as I have said this LMC phase was a very short one. After my interview with Lizo Bright I had six months before I took the case to court and I only had two investigating officers with me, so that was a massive task and we worked day and night to be able to complete it. So the Witdoeke were always there in the background and you just picked up little bits of information from conversations.

MR KILLIAN: You said that Lt Philip du Toit, retired lieutenant, that he was the person who had dealings with the Witdoeke?

MR LIEBENBERG: I know that he was very well aware of actions planned by the Witdoeke etc.

MR KILLIAN: My last question Mr Liebenberg. What we find rather odd is that there were two groups, two groups of people belonging to the same racial group who fought each other and to this day people are still trying to find out what really happened and what the truth is, what is your honest answer? Did you use your askaris in any way to instigate Black-on-Black violence? Did you use your askaris and your sources to do that?

MR LIEBENBERG: Definitely not from my side Chairperson. I didn't use my askaris in that way whatsoever.

CHAIRPERSON: I'd like to just make a follow-up on that. It has been one of the theories that has been held that the so called Black-on-Black violence in fact was State-sponsored violence and that the police were acting in accordance with a well orchestrated plan which was part and parcel of the State-sponsored total onslaught, or total strategy as a response to that total onslaught. Now are you satisfied in your own mind that whatever you were doing, that you are testifying about was not in fact part of a well orchestrated plan by the State to provoke a so-called Black-on-Black violence which in any event was intended to deal with those forces identified as Comrades but otherwise themselves engaged in a struggle for liberation?

MR LIEBENBERG: I am fully satisfied Mr Chairman that from my side and in my handling of the rehabilitated people that no violence was encouraged in any way, or sides were chosen that had anything to do with the faction fighting by way of my instructions to them, in my briefing to them.

My role in regard to the Witdoeke was a zero role. I was placed on the Local Management Centre in Gugulethu and they soon saw that an investigator could not sit there. I heard often about the fighting because it

went for months on end and people eventually became fed up because we could not go in and do our work effectively in getting the trained MKs out, and from my side the rehabilitated people were never encouraged.

What I also said earlier is that Sergeant Bellingham also worked with other people on the Branch, so if an investigation led to that you must please proceed with that because it would seem with the death of the seven that there was some kind of misperception so I will not be surprised with your reaction from what you read in the papers. I can but speculate.

CHAIRPERSON: Zoelpha Carr.

MISS CARR: Have you ever worked jointly with Major Odendaal in any operation?

MR LIEBENBERG: Yes. He was called in to come and help with this Gugulethu 7. As I explained in that trial we wanted to show that we had enough people to prevent any shooting starting to - in other words to get a give-over. At later times I again used him because it was a motto of mine to use full power that when a trained MK man is arrested he would see that he's overwhelmed and that would stop any shooting or perhaps trying to escape from his side and it worked in just about all the occasions where I was involved.

MISS CARR: So was this group AOE no.10 Western Province, what kind of group was it, was it regarded as being a very specialised group or what?

MR LIEBENBERG: There were specialised people in the AOE no.10. In '86, I am just trying to think whether the Railway Police had also joined us by then, it is possible that they have joined us, otherwise they joined in '87, now they also had a group like that but their group was merely trained as our task force in Pretoria. The Railway Police had task force all over and they even went for better training. The AOE basically went on riot training.

MISS CARR: Now these specialised people that were part of this unit who were they?

MR LIEBENBERG: Oh well there were sharp-shooters, then there were instructors, they were from mix and match. You know what I mean by specialised - is those people had more chance of going on training courses. The one guy would go on a Black course - okay, if I must take out a few guys, oh Barnard wasn't specialised in anything, John Sterrenberg was a sharp-shooter for instance.

MISS CARR: Were there any other sharp-shooters there?

MR LIEBENBERG: Yes I think MacMaster was as well. You know they had so many platoons that in about each platoon of this AOE no.10 would exist of say, I don't know at that time, but say for instance nine platoons of which three would work day duty, another three would come on night duty, now these people were quite distributed in different platoons. Major Odendaal would usually make use of any of the platoons when I asked for help because he liked to go out himself to give us backup.

MISS CARR: Was Captain Looock part of this thing?

MR LIEBENBERG: No Captain Looock was the investigation team of Gugulethu. He was like the branch commander but they drew in extra detectives, because of the faction fights there was a work overload on detectives investigating the deaths and attacks and so on. So Looock was a detective.

MISS CARR: Tell me BO Group 40 is a "Leer Weermag", right?

MR LIEBENBERG: Ja.

MISS CARR: Were they also very active in your operations and in KTC?

MR LIEBENBERG: In my operations not at all ...(intervention)

MISS CARR: In the KTC area?

MR LIEBENBERG: In KTC as far as I know there was Group 40 was deployed most of the time you know round faction fights and so on.

MISS CARR: So with regard to the faction fighting itself you would say that the two main groupings was the Group 40 and the AOE no.10, would you agree with me?

MR LIEBENBERG: That's right, that was the best trained people for such situations, ja.

MISS CARR: And they would have the most information and know about what was happening and with regard to reports and that, that would be basically - that would be the key element in there, would you agree with me?

MR LIEBENBERG: They should have all the information.

MISS CARR: And you have worked with both of these groupings, am I correct Sir?

MR LIEBENBERG: No, I haven't worked with Group 40, no.

MISS CARR: Oh, but just with the one group, Group no.10?

MR LIEBENBERG: Well certain members, you know like a platoon to go out and arrest people, like for instance in this matter I didn't even work with Dolf Odendaal on Lizo Bright, when we went in to look for the limpet mines in KTC I just took one platoon, casspirs, you know just ask the guys to come in and come and help us, to give us backup. You know it would be at random, but they were always in the areas, they would drive around in casspirs in Khayelitsha. If I went to an address in Khayelitsha the closest casspir would come and help me, but they are all connected to the AOE no.10, which is "Afdeling ondeste.....no.10 from the land" and that is Western Province, it was stationed in Cape Town.

MISS CARR: One last matter that I need clarity on. During the course of your investigations Sir there was, I am sure as a good investigator which we all know you are ... (intervention)

MR LIEBENBERG: Was.

MISS CARR: You obviously knew of many operations and many other things that were happening in the area, am I correct? I am not asking you to specify but you know in general.

MR LIEBENBERG: Yes.

MISS CARR: Okay. Now in the process and in the course of your investigations did you ever come across an Operation Xenon?

MR LIEBENBERG: X-E-N-O-N. No, I am sorry.

MISS CARR: Did you have any dealings with, or did you have any matters relating to any helicopter incidents or monitoring thereof?

MR LIEBENBERG: I went up in a helicopter on the day that this Gugulethu 7 were buried.

MISS CARR: Excuse me?

MR LIEBENBERG: I went up in a helicopter on the day that the Gugulethu 7 were buried to monitor the funeral.

MISS CARR: And how many helicopters were there at the time that were operating in the area?

MR LIEBENBERG: We had a police helicopter and there was an army helicopter as well if I am talking about the time round about March/April 1986.

MISS CARR: And this helicopter would they rotate shifts or would they be acting in concert with each other or what would be the procedure with regard to this helicopter?

MR LIEBENBERG: If I can remember correctly there was - when I chatted to a pilot one day he said that

they usually go up for hour periods and then to refuel. Although the choppers can stay in the air longer it was always necessary to rather rotate on say an hourly basis. On a day like the funeral which was a long process which started in the morning and went through to the afternoon, and the people didn't know where riots could break out next because this whole episode you know was - I think touched the whole Black community right through even to Langa, they, they were up and down, they one would go up and the other one would come and sit down and vice versa, or re-fuel.

MISS CARR: Sir from your knowledge, I am not just asking of what you personally know or personally had seen, but from your good investigation skills and from the experience that you have acquired over the years, I ask you honestly, I ask your honest opinion, what do you think was the role of that helicopter?

MR LIEBENBERG: I would say the role of the helicopter is to see where problems start, to inform people on the ground where to go to. Because you would have manpower on the ground, say for instance standing on the corner of - what's that big road that passes through - well say at Table Top, at Old Crossroads, and all of a sudden a problem starts brewing in Nyanga and the amount of people involved there, say in a clash or in a riot situation is more than that, the helicopter would place over say two vehicles to this point. That's what I would say.

MISS CARR: Would you say that this helicopter played a key role with regard to the observation and the know-abouts of what was happening in the area?

MR LIEBENBERG: I would say a helicopter always plays a key role in all our crime. You know it's such a good help with any situation at the moment still to do good policing, the chopper is of enormous help, yes.

MISS CARR: And when this helicopter had to do its flights, its rounds during the evening, do you have any knowledge of exactly what it was doing in the area?

MR LIEBENBERG: No, not at all.

CHAIRPERSON: Pumla Dwane.

MS DWANE-ALTMAN: Now out of curiosity I just, I sort of remember that you mentioned that it was possible(?) to sort-of move into the area especially around Crossroads, KTC, in your opinion do you think that the excuse that the shacks were too close together would not hold water, I mean for casspirs and things like that to get into the area during a violent situation?

MR LIEBENBERG: Well we had to move through shacks but if I had to make an arrest right on the inside I would think twice before going in and then I would double up on - triple up or more on manpower. The one that I had in KTC to do was luckily very close to the cemetery, it was quite high up on a hill and we could come within about 70 yards, which was okay for me with the amount of people I had, but then also to do it very quickly and get out. And I may add that on that night at - okay I will stick to the English if it will help - in KTC the night that I was there, I think it was the end of May when we made the last arrests on the Lizo Bright group we spent too much time there because the shack was locked and there were detonators supposed to be in the inside. After we checked the toilet where the limpet mines were supposed to be and couldn't find them I had to shoot the lock on the door because we heard people on the inside but they were on the bedroom side and I shot the lock to get in. And by the time when we got in they jumped out the window and got down the hill and got away and by the time we withdrew there were about at least 200 people gathering up and shooting at the casspir and throwing stones and we made it with seconds, ja.

MS DWANE-ALTMAN: So it's a whole question of danger not of the fact that these shacks are very close to

each other and things like that, that one would consider going there you know twice and things like that?

MR LIEBENBERG: We had people to take out in my investigations so we perhaps took chances sometimes but we did go in.

MS DWANE-ALTMAN: No, what I am trying to establish is whether it was possible for these casspirs to move into the area because I am trying to look at the 9th of June where people say the shacks were too close together and things like that, and yet for some reason you managed to get into the area with casspirs.

MR LIEBENBERG: No we would get onto the edges in - I think there were about four bigger roads going through KTC at the time and if you knew the route that was also good. That's why we used the riot squad guys there, the AOE guys who drove there every day because they were patrolling every day. They would know the roads, what we wouldn't know because today there's a road, if I come back in two weeks time when I have to arrest somebody there again that road won't be there. So they would know what they drove in earlier this afternoon or so. Thank you.

CHAIRPERSON: Zoelpha Carr.

MISS CARR: Okay, just one last thing that just puzzles me a bit. You don't mind me asking?

MR LIEBENBERG: Okay, that's what I am here for.

MISS CARR: This helicopter, you know you said that it took hour shifts, hour rotation between the police and the army, right, now did you ever ask why? I mean this big helicopter with all this fuel, why does it take one hour shifts to re-fuel? I find it very strange. Is it that it had no more fuel left or was it for some other purposes? Surely as a good investigator you would enquire about this?

MR LIEBENBERG: I did enquire, that's what I said I asked the pilot once and he said that they can stay up longer, they do have more fuel, but they come down on an hourly basis which is then good because you can run your - the engine of a chopper is run in how many hours it runs and they've also got a book - you know when I come back and I write my book that I drove 10 kms with the car today on investigating which docket case number so-and-so, they would write in their log book that they did so many hours in the air. So that is why they usually worked on basically the full hour so that they could at the end of the day say they did so many hours in the air. This was in discussion with the pilot. On a day like the funeral I said was a long day, I don't know if they ever did that you know every day, you know I wasn't there all the time to see it, but on the funeral day, for instance, where you would have people marching in from Langa to come to the funeral, people coming in from KTC, there were people coming in from Khayelitsha side, you know Khayelitsha was only starting those years, I would say more Mandalay right next to Mitchell's Plain there was a shanty town there, those people moved in. Everybody came to that funeral from all over, and you know to be able to judge it that's what I thought they used the chopper on that day. But on other days I wouldn't see the necessity to be up there all the time if there's not faction fighting going on the whole day.

MISS CARR: Okay, so what you are basically also saying and from what I can infer from the content of what you have said is that this helicopter situation or whatever went up in the air, was a joint operation between the police and the army, are we in agreement with that?

MR LIEBENBERG: That is correct and I think even their choppers interchanged. I think the army chopper pilots even flew our choppers as well, but I...(intervention)

MISS CARR: Are you saying that the army also flew the SAP helicopter?

MR LIEBENBERG: It's possible, it's possible.

MISS CARR: So who was mainly dealing with this helicopter issue? Who was in charge of it?

MR LIEBENBERG: That I won't know.

MISS CARR: Sorry?

MR LIEBENBERG: I won't know.

MISS CARR: Okay, thank you.

MR LIEBENBERG: Later years you know it would be the divisional commissioner, but in those times I don't know.

MISS CARR: Divisional Commissioner Coetzee?

MR LIEBENBERG: No he was the overall commissioner, he was South Africa's commissioner.

MISS CARR: Oh, okay.

MR LIEBENBERG: In '86 no I don't know.

MISS CARR: Okay, thank you.

CHAIRPERSON: Well I am getting an indication that we have come to the end of these proceedings. It therefore remains for me to thank you Mr Liebenberg, but in particular thank your lawyers also who have been patiently sitting there, who could not have afforded to close their eyes as often as I did because they were looking after your interests. I was sitting here and listening and opening my ears and closing my eyes, but I only hope that in those moments I didn't make you feel uncomfortable in the sense that you would have come to the conclusion that I have allowed you to be savaged by these investigators and not keeping a tight rein on the process.

As it turned out, you will agree with me, that the questions were pointed and probing but they were not aggressive, and I would like to thank you for your full cooperation with us in our endeavours to try and establish exactly what happened in this country's troubled past. So that we can use that with the view to again emphasise the other twin, the reconciliation aspect. For us truth is not important merely because we want to expose the truth and therefore hurt people by so doing. It should be relevant to the extent that it can shape the future of all of us. So I have to thank you.

These proceedings are then adjourned.

MR LIEBENBERG: I thank you very much Mr Chairman.

COMMITTEE ADJOURNS