

CHAIRPERSON: I declare the inquiry open. The Presiding panel consists of Bongani Finca standing in for Dumisa Ntsabezi who has been unable to come up from Cape Town. Tiny Maya standing in for June Crichton who has had to go to Port Elizabeth and Ntsiki Sandi who was scheduled to be in this panel. The hours of the inquiry I am told will be up to about 13H00 today.

I wish to welcome you Mr Booi and to thank you for  
10 coming to assist the Commission with the difficult task of constructing the truth of what has happened in this country in the period that we have been asked by the Government of South Africa to investigate for violation of human rights.

We hope you find the cession not to be an interrogation, but a sharing of information that you will assist us in our difficult task of leading towards reconciliation on the basis of disclosing the truth of what has happened, because there is this honest belief that without knowing the truth, and knowing the whole truth it's going to be very difficult  
20 for people to be reconciled and to forget about the past. So we welcome you and we thank you most sincerely for coming to assist us in this task.

I am enjoined by the Act to read to you your rights and your duties. You are entitled as you know, it was stated in the subpoena that was sent to you, that you are entitled to the right to legal representation. You have a duty to be honest with this inquiry and that if you deliberately misinform the Commission you will be committing perjury if you are found guilty of that. The  
30 Act also requires you to answer all the questions that are

put to you, even when those questions may tend to incriminate yourself.

DHLAMINI YOSANDILE BOOI: (sworn states)

CHAIRPERSON: Thank you very much. We shall now hand over to you Mr Mpumlwana to conduct the questions.

ADV MPUMLWANA: Sir I would request that you tell us briefly about your life in the police force, telling us when did you join the police force, how and what happened during that process and where were you working. Don't tell  
10 us about your activities, just tell us about when did you join the police force and the positions that you were in until your last days in the police force.

MR BOOI: I joined the police force in 1965. It was in Umtata. I was transferred to Middelburg, Cape where in July I went to Benoni for training. That was in 1965. I came back to Middelburg Cape again in November because our training took only four months. I was working in the Uniform department. In 1968 I was transferred to Umtata in April. I also worked at the Uniform department. I was  
20 working in the administration. In 1969, January, I was transferred to a security branch. I worked there from 1969, '70, '71, '72 up to 1976, November. I was taken to Butterworth to another station there at the security branch as a branch commander. I was taken back to Umtata in 1977, I think it was about May because I spent six months at Butterworth and I went back to Umtata. I was working under Gledhill(?) who was in charge of that branch at the time. In 1979 I was transferred to Port St Johns to a branch that was opened there. Being in Port St Johns in 1981 October,  
30 sorry August, I went to Butterworth. There was a case

there that was under investigation and it was decided that I should stay there. That was in 1981. In February 1982 I was sent back to the head office in Umtata at the security branch. I worked there under the investigation unit of the security branch. I worked there until 1990. I was transferred to Sterkspruit as a street commandant also in the Uniform department as a district commandant. In 1991 I was sent back to Umtata for the in-service training at the College. I was an instructor for the people who were taking the course. In 1993 I was sent to the stocktheft unit. I left there in 1994 being the head of the stocktheft unit.

ADV MPUMLWANA: Thank you Sir. As Mr Finca has already said, the purpose of summoning you here as a person who was at the security branch the human rights were grossly violated at the time, that was also permitted by the situation of those times, and now we are building towards reconciliation. What we are asking for Mr Dhlamini is for you to tell us as much as you can, firstly about these incidents that we have mentioned. Secondly, and the other things that also took place. Maybe you are going to take them one by one. Maybe you will tell us something that you have a clear knowledge about. Tell us about Zakate Buka, do you know anything about him?

MR BOOI: Zakate Buka I know a lot about him. I met Zakate while we were investigating a case in Umtata, a case where the petrol depot was burnt down. We were investigating, trying to track down the people who were responsible. Fortunately I was in Ngcobo with other people that I was working with. The people from Ngcobo security

branch were also doing their own duty in their rural areas. We were not involved in that because we were the investigating team. One day in the morning I was woken up, I heard that the police were shot somewhere in the rural areas. Even their cars were left there. I took one of the gentleman (...indistinct) Liso. We went there to the scene. I was told the name of the village. I can't remember whether it was Ndebanene. We went there with Liso. It was early in the morning. There was nobody there and the police vans were there. While we were still observing the situation, trying to establish what actually happened, but we couldn't find the police. One policeman came and said the person who shot us was in that house. As the police were searching one of the policeman was standing next to the window, wanted to check what was happening inside because it was not locked and the owners said there was nobody there, but while trying to check the place there was fire.

I asked where was the owner, nobody knew. This Mr Buka who seemed to be the owner of the house came and I don't know whether he was coming from the toilet, he was taken to town to be questioned about what was happening. He didn't resist that much and he told us, because as we were searching we found pamphlets in the house that had information about the burning down of the petrol depot, meaning they were freedom fighters, those freedom fighters were responsible for the burning down of the petrol depot, and we asked for the names and he gave us the names of the people, but only person that he gave us his name. And he didn't even know the whereabouts. And now we started

looking for the people who were doing these pamphlets.

During the day he told us that while he was coming from the toilet he actually went there to hide the machinery that they used and the machinery that they used to print the pamphlets and to cut off the fence. He also showed the magazine of an AK47. We investigated the case from there and he went to court, because seemingly he was connected to this person who burnt down the petrol depot.

ADV MPUMLWANA: And now he was questioned and at the same  
10 time he was assaulted.

MR BOOI: As a person who was in charge at the time I was a senior, I can't say he was not assaulted, but sometimes this was not happening in front of my eyes but you could see that this person was assaulted by the looks.

ADV MPUMLWANA: There was a person called Fumanikile  
Dhlayia?

MR BOOI: No it's Liso. Dhlayika was a branch commander  
of that station if I am not mistaken. He was a branch  
commander. I think he was there also. Those were the  
20 people who went there to search the village. I was with  
Mfaswe and Matikisela, Zolane, Zolane and Matikisela and  
Taku were with me at the time. Taku is late now and even  
Mfaswe is also late.

ADV MPUMLWANA: Is Mfaswe the one who was in Butterworth  
or here in East London?

MR BOOI: He was from here in East London and he was  
transferred to Butterworth. Even Matikisela was also in  
Butterworth. And Chota.

ADV MPUMLWANA: Who is Chota?

- MR BOOI: He is in Umtata, at the time he was a captain.
- ADV MPUMLWANA: Was Mazamisa there?
- MR BOOI: They used to come, the Whites from East London used to come ...(intervention)
- ADV MPUMLWANA: We'll talk about them later.
- MR BOOI: But at the time of this incident of Zaketa Buka ...(intervention)
- ADV MPUMLWANA: Zaketa Buka is the owner of the house by the way?
- 10 MR BOOI: Yes.
- ADV MPUMLWANA: At the time that they were assaulting him and questioning him weren't there any people from East London?
- MR BOOI: I can't be so sure because first of all it's in the offices. The interrogation was taking place in the offices. Sometimes you would go out and take that particular person to go and observe the place but I don't remember going with them to the Buka's house, because there was assistance that we were getting from the South African
- 20 Police.
- ADV MPUMLWANA: This gentleman says he was assaulted by Fumanekela, Hlakene Mzula Matikizela and Mazamisa. The Mazamisa it looks like it's one gentleman who was from East London. He alleged that he was also assaulted by Mfaswe, meaning you cannot dispute that?
- MR BOOI: No I cannot because I remember him telling me that Mfaswe hit him with a knobkerrie in his ankle and I even said no you cannot do that, that's what I know about Mfaswe, because I remember telling him that you cannot do
- 30 that, hit a man with a knobkerrie on his ankle. I won't

tell a lie and say that I have seen the others assaulting him.

ADV MPUMLWANA: In Mxgangele Madumela - oh excuse me. I have finished with this incident. In Mxgangele Madumela's incident, do you have any knowledge?

MR BOOI: Just a little bit. I remember when he was arrested but I don't remember taking any responsibility, playing any role, but I remember that he was arrested.

ADV MPUMLWANA: So that we can combine all this together  
10 let us do it this way. Mxgangele Madumela was arrested and he was detained, he was assaulted and he was taken to Cambridge. Do you remember the police in Cambridge who were there who were working together with the Transkeian police?

MR BOOI: It was Naude and Nicholson Madevana.

ADV MPUMLWANA: He is late, is that so?

MR BOOI: Yes. Those were the people in charge.

ADV MPUMLWANA: Where is Naude?

MR BOOI: I think Naude is a pensioner now and he is here  
20 in East London.

ADV MPUMLWANA: There were two Naude's, do you know his first name?

MR BOOI: I remember he was Dan, I am not sure whether it was his name.

ADV MPUMLWANA: Is he a colonel or was a colonel at the time?

MR BOOI: No he was just a sergeant. I think while he took pension he was a lieutenant.

ADV MPUMLWANA: Was he the one who had a beard?

MR BOOI: Yes he had a beard and he made a mark here on his chin.

ADV MPUMLWANA: Who is van Wyk?

MR BOOI: Van Wyk is one of them, but the seniors, what was important to them is that they could communicate well in Xhosa. Van Wyk came afterwards.

ADV MPUMLWANA: What is van Wyk's name?

MR BOOI: I can't remember, I only know that he was referred to as Captain van Wyk.

10 ADV MPUMLWANA: Do you know Madliwe?

MR BOOI: Yes that's Mpumelelo, his first name is Mpumelelo I know him.

ADV MPUMLWANA: Can you tell us was he working for you or he was one of the people ...(intervention)

MR BOOI: As I have already told you that they - we were getting help from SAP, we were getting help from South African Police and Madliwe was stationed here in East London.

ADV MPUMLWANA: Was he working with Mr Matikizela?

20 MR BOOI: Yes here in East London.

ADV MPUMLWANA: Were they together? Was this Madliwe a policeman or askari?

MR BOOI: He was a policeman.

ADV MPUMLWANA: Are you sure?

MR BOOI: Yes he was a policeman, Madliwe was a policeman.

I knew him being a policeman. He was the one who was working with the askaris. He would take the askaris from East London to Transkei. I know him as a policeman. I have no doubt that he was not(?) a policeman.



- ADV MPUMLWANA: Is he still alive?
- MR BOOI: No he is late. I hear that he was shot in Cecilia Makiwane Hospital driving in his car.
- ADV MPUMLWANA: So it looks like Madumela was taken to East London?
- MR BOOI: I cannot dispute that.
- ADV MPUMLWANA: How did this used to happen because Transkei was an independent state?
- MR BOOI: I think the senior authorities were cooperating  
10 with each other. The people who were in charge of the security would communicate with the others across the borders and talk.
- ADV MPUMLWANA: During the times of Madumela who was in charge in Transkei?
- MR BOOI: That was in 1981.
- ADV MPUMLWANA: Who was in charge? Was it Nxeba?
- MR BOOI: Yes it was Nxeba.
- ADV MPUMLWANA: What was Nxeba's position?
- MR BOOI: He was a general. He became a general.
- 20 ADV MPUMLWANA: Who were his subordinates?
- MR BOOI: Nkatachana was in the CID department. Nkatachana was in charge of the CID.
- ADV MPUMLWANA: Was he not in the security?
- MR BOOI: No.
- ADV MPUMLWANA: What about Kawe?
- MR BOOI: Kawe was also present.
- ADV MPUMLWANA: What was Kawe's rank?
- MR BOOI: As it was Nxeba who was in charge, Nxeba was a commissioner, he was a commissioner in charge of everything  
30 but not security. Security was under Kawe.

ADV MPUMLWANA: Who was Kawe?

MR BOOI: Kawe was a general, I think he was a general or a brigadier, but I am not sure. I think he was one of the two, a brigadier or a general, I am not sure.

ADV MPUMLWANA: Who was Lavisa?

MR BOOI: I think Lavisa was a major.

ADV MPUMLWANA: But according to their ranks a person who was in charge of the whole station, security station was Brigadier Kawe?

10 MR BOOI: Yes that's correct.

ADV MPUMLWANA: And here in Umtata who was in charge, who was the one that was your colleague?

MR BOOI: Kawe was in the head office and Dingana was at the branch. I was in Port St Johns in 1981.

ADV MPUMLWANA: Brigadier Kawe was in charge at the time?

MR BOOI: Yes I think he was a general at the time.

ADV MPUMLWANA: Meaning he is the one who was giving the authority that these people should be taken to East London?

MR BOOI: Yes I think that decision was taken by him and

20 Commissioner - because nobody will ever cross the border without knowledge of the Commissioner.

ADV MPUMLWANA: There is a gentleman here who was called Gwaza Twala. This gentleman I want to remind you, he was a medical student in Durban. He is originally from Norwood, do you know Mr Twala?

MR BOOI: I just heard about him.

ADV MPUMLWANA: He has a younger brother whose name is Zola.

MR BOOI: Yes.

ADV MPUMLWANA: When he was arrested was he once in Wellington, can you tell us, try to refresh?

MR BOOI: I don't have knowledge about him. I don't remember him among the people that I was dealing with. I don't even have his picture. At least I know people.

ADV MPUMLWANA: He spent a short time, but you are the people who brought him. If he was under the security police under which section was he arrested there in Umtata?

MR BOOI: If you remember clearly I said in 1981 I was in  
10 Port St Johns. About the detainees in Umtata I wouldn't be there not unless I was asked to help in interrogation. There were things that took place without my knowledge as I was requested to go to Butterworth. That is why I don't know much about Twala in 1981. I don't remember him. It was during the time when we were busy in Butterworth.

ADV MPUMLWANA: It looks like it was in 1979, this 1981 is a mistake, '79 or '80. ARCHIVE FOR JUSTICE

MR BOOI: As I received this document of subpoena I went back to the security to try and check the detention files  
20 so that I can be able to refresh my mind and try to establish if I know these people but I just got the information that each and every document after five years will be destroyed. So I couldn't get that kind of information. That is why right now I don't have much knowledge.

ADV MPUMLWANA: Who is keeping these documents, these files of the security branch?

MR BOOI: They are in the administration section. It's only the gentlemen who are working there in the  
30 administration.

ADV MPUMLWANA: There is no specific person to take care of the files?

MR BOOI: I don't know now but that used to be the procedure.

ADV MPUMLWANA: Tell us about this, of which I am sure that you have a clear knowledge about, I am sure of that, the incident of 1981, the incident where Ngiti was involved, do you remember it?

MR BOOI: Yes. In 1981 in August while I was called from  
10 Port St Johns to help in the investigation Dingana was there already. I think I arrived a day after the incident of Ngeti and the other's death and in the office there was confusion and the people there and the other police from East London, including Naude. And the other group was to be sent to Elliot because there were also other problems there. I was only concerned with Butterworth, Butterworth and Ngcobo, where Nomichipete was arrested, Kati's daughter and Mr Kati and Ntombeka Yankanju I remember them, they were also there and Popi, that was in 1981. This number 7,  
20 Mvelalisa Liwa I didn't meet him.

ADV MPUMLWANA: But do you know him?

MR BOOI: Yes I know him, I know him very well. But I mean at the time when I was there in Butterworth he was arrested on the way to Elliot with his colleagues but I was not there when he was arrested. Those that I can remember it's only Nomichipete and Mr Kati and Tombeka Yankantju and Popi, because I understand he was also in the same house where Ngeti was shot, that is in Butterworth. At that time I had just arrived in Butterworth and I was there for  
30 interrogation and they were already arrested.

I don't know much about Mr Kati but I remember we went to a place where he said there were some other things there, and then we were in his house and the others took him up the mountain. He went up the mountain with others including Mr Dingana and then we were left, myself and others were left in his house. We were searching because there was what was called a mine detector.

ADV MPUMLWANA: Excuse me Mr Dhlamini, just before we go there let us talk about Mr Kati. At the time Mr Kati was taken to his house to dig he was assaulted severely. He was swollen, he was handcuffed, his feet were tied, he was swollen, even his private parts also. Who was in charge of this interrogation?

MR BOOI: It was Bredi Dingana. He was the one in charge at the time.

ADV MPUMLWANA: Was Matafene there amongst the people who were assaulting him? Do you remember Matafene?

MR BOOI: Yes I remember him. I think he was stationed in Butterworth at the time. I can't say he was there. Let me talk about Mr Kati while he was swollen.

ADV MPUMLWANA: I'll tell you where did I get that information. I discovered that his private parts were pressed while he was taken up to the mountain.

MR BOOI: Yes he was handcuffed. I can't say that he was swollen that much, but we were there in the house searching with the mine detector and as you know that even the mine detector if it feels a nail it will just make a sound and he will dig up that nail.

ADV MPUMLWANA: But he was not in the house at the time.  
30 He was in the mountain.

MR BOOI: Yes he used to point all over but I don't know what was happening there because we were digging inside the house. And then they came to us afterwards and we told them that we couldn't find a thing in the house.

ADV MPUMLWANA: Wasn't Nomachipete pregnant at the time, do you have any knowledge about that?

MR BOOI: Even if she was pregnant it was still her early days. I am not sure.

ADV MPUMLWANA: I want to know who was actually assaulting  
10 her. She said it's Matafene until she miscarried the baby because he was actually stamping on her stomach.

MR BOOI: I am not sure because even if a person is assaulted sometimes these person who are interrogating they won't assault him in front of you because they know that this person will go to court and tell that and then they know that you will have to be a witness. I won't say she was telling a lie ~~but~~ ~~the~~ ~~one~~ ~~of~~ miscarriage I can't remember because if a person is in the office would be taken to be taken to the hospital whenever there is a need,  
20 but I didn't get any report saying that.

ADV MPUMLWANA: Was Noma Tokazi released immediately?

MR BOOI: She was not arrested for a week but I think it was from two weeks or more than two weeks but she was not released immediately?

ADV MPUMLWANA: Meaning this should have happened just before her release?

MR BOOI: I am not sure.

ADV MPUMLWANA: I heard you saying it was Brigadier Dimane who was in charge.

MR BOOI: Yes he was in charge of the investigating unit as we were in Butterworth from Umtata and we were his subordinates.

ADV MPUMLWANA: Do you remember all these people whose names are listed here?

MR BOOI: Yes I remember those that I have mentioned, Nomachipete, Mr Kati, not about no.4. Number 6, Ntombika yes, and Saliwa.

ADV MPUMLWANA: This name Gxobelo Chilia Sagete she is a  
10 girl - wasn't she a girlfriend of one of the gentlemen who died there?

MR BOOI: No I cannot remember, I cannot remember. But I think I remember the name.

ADV MPUMLWANA: What I want to know is at least for you to give us a clear picture, do you mean that a person can just be arrested and be assaulted, there is no procedure or specific order that ~~these people are~~ now arrested and they are going to be asked these kind of questions and here is the person in charge of that part, how is the procedure?

20 MR BOOI: We interrogate people and - each and every person is writing his own notes from the person who is being interrogated. If this person will mention other people who are also involved, we are then obliged to go there and arrest the person who is mentioned. They will go on because they know the story, they don't have to come back to a person who is in charge, they will go on investigating. Maybe when you go there you will find that that particular person has already made the statement or is still in that process because they have been taking notes.

ADV MPUMLWANA: So can you tell us then about the people that were present at the time, people who were police who were working for the investigative unit at the time?

MR BOOI: Those that I was with in Ngcobo I have told you about them.

ADV MPUMLWANA: Was Madikizela there also?

MR BOOI: Yes he was present.

ADV MPUMLWANA: And Liso was present.

MR BOOI: Liso but not Hlakiya, Liso.

10 ADV MPUMLWANA: What is Liso's first name?

MR BOOI: We were using this name "Skarra", I don't even know whether it's a pseudonym.

ADV MPUMLWANA: Is he still alive?

MR BOOI: Yes he is. I didn't hear anything saying that he passed away. And there was Chota again amongst them. Even Mfaswi was also there, though he is late now. And Daku, Daku.

ADV MPUMLWANA: Do you know his first name?

MR BOOI: We used to call people according to their ranks. 20 We never used to mention their names. That is why I cannot remember because sometimes you will find that those were their pseudonyms. And Matafene was also present. And Sipambu. Sipambu Gene.

ADV MPUMLWANA: Who is this Sipambu?

MR BOOI: I think his first name is Nimrod. He was in Butterworth. He is also related to the Commissioner of Mount Fletcher. I have their pictures in mind but I cannot remember their surnames. I am not sure if this young boy 30 Ntlane was there but he was also stationed at Butterworth.



ADV MPUMLWANA: It is said that the police from East London arrived, Naude and others, they sent Ngiti to go and arrest the gentlemen who were in Cuba and Tengiti went there. Do you remember who were those policemen?

MR BOOI: I was in Port St Johns on that day. The only story that I heard is that Tengiti was suspecting that in that house there were freedom fighters and they saw one of them that was jogging and he was observed until he went into the house and they left with this other late Simon and  
10 two lady police, and they got in Ngiti and Simon went into the house, that is the story that I heard. They left.

ADV MPUMLWANA: How did this happen, those who were shot in Elliot they were shot when this day - when Ngiti was shot in the evening is it so?

MR BOOI: Yes. There were two of them.

ADV MPUMLWANA: You went to Elliot with Dingana?

MR BOOI: No I didn't.

ADV MPUMLWANA: That's what Dingana said.

MR BOOI: I don't remember. I do not remember because I  
20 had just arrived from Port St Johns. When this happened I went to Port St Johns to listen to this story that the police were shot in Butterworth. I don't remember myself leaving for Elliot.

ADV MPUMLWANA: No Dhlamini, you were not a boy, you were not a child at the time, and you were not just a policeman but you had a senior rank. The people who were torturing people you know and you even know your subordinates. You know your subordinates and you know very well what did they do if given an instruction.

MR BOOI: I can say Sir even myself I can talk to a person and get the truth. I am not very good in assaulting but I just talk to a person and get the truth without assaulting a person.

ADV MPUMLWANA: I want to know about the people who were killed in Elliot.

MR BOOI: A hearsay, because to me it is a hearsay.

ADV MPUMLWANA: Just tell us about that hearsay.

MR BOOI: I heard that this car that Ngiti was driving,  
10 Ngiti and others were driving was taken by these freedom fighters and the ladies left, the policewomen left because they heard the gunfire and they went towards the township of Cuba and the car was hijacked. It was a Nissan that was hijacked. I heard that these people on the way met a roadblock and it was reported in Umtata. The incident was report in Umtata and all the places were - all the borders were closed. That's where I heard that Mvelisi was arrested there.

ADV MPUMLWANA: You mean you don't know the people who  
20 were there in that investigation?

MR BOOI: The police who arrested Saliwa and the police who assaulted ...(intervention)

ADV MPUMLWANA: Who were the police who assaulted Saliwa?

MR BOOI: I cannot say because a gentleman who was in the security there in Elliot was Warrant Officer Roberts, now he is a pensioner.

ADV MPUMLWANA: I am sure if it was there the police, the security police from Elliot were there, not only the police in uniform. Do you know Taylor? He was coming from  
30 Durban.

MR BOOI: Maybe I have forgotten him.

ADV MPUMLWANA: Was he there in Elliot?

MR BOOI: No I am not sure, don't know.

ADV MPUMLWANA: Now Dhlamini you went to Elliot, please.

MR BOOI: I cannot deny that - I don't remember myself going to Elliot, because as I am telling you I left Port St Johns and I went to Umtata. Just hang on I don't want to tell something that is not true. I don't remember going to Elliot. Dan left for Elliot but I don't know who was with  
10 him because even the Mbulawa who was in the anti-riot department when the - I don't even remember the scene. That is why I am saying I was never in Elliot. I never pointed out and said that these boys died there.

ADV MPUMLWANA: It is said that the two who were killed after a week, how were they killed? It is said that they were looking for them in the farms there.

MR BOOI: Seemingly ~~it was about days~~, maybe they couldn't even eat they were hungry, and the information was that there were people who were working around there and they  
20 were surrounded and there was a shooting. The police went there and there was a shooting. There is one White man that I had seen, his mother was working at the Dijerfield(?) and she said her son escaped there, he was shot in the eye but even the eye didn't come out. So he was one of the people who was there.

ADV MPUMLWANA: Were those people killed on the spot or maybe they were surrendering?

MR BOOI: I won't lie. I don't know. I am not sure whether they were armed or they had surrendered.

ADV MPUMLWANA: You must remember because it is very important.

MR BOOI: The problem is this, I was not there, it's just a hearsay. A hearsay is a problem because I was not there. If I was there I would know.

ADV MPUMLWANA: Just tell us about that because you heard.

MR BOOI: I heard that there was a shooting. There was an exchange of bullets.

ADV MPUMLWANA: I apologise, but I am asking this question because at the mortuary when these people went to identify them they were handcuffed. How can you handcuff a dead body? Do you hear me?

MR BOOI: Yes.

ADV MPUMLWANA: How can you really handcuff a dead man?

MR BOOI: I don't have any knowledge.

CHAIRPERSON: To no.10 is it?

ADV MPUMLWANA: No.

CHAIRPERSON: It is not so. We are actually concerned about what happened in 1981. The part you have covered up to now. Mr Sandi.

MR SANDI: Thank you Chairperson. Mr Booi you said you didn't actually like assaulting people, did I hear you clearly?

MR BOOI: Yes, that's correct.

MR SANDI: You mean you were not used to assaulting people, assaulting a person who was arrested?

MR BOOI: That was not what I was doing, because I am capable of talking to a person and beg him until he gives me information.

MR SANDI: Can you tell us the expertise that you had when talking to a person trying to investigate and that person would cooperate and give you exactly what you were looking for?

MR BOOI: The expertise that I had was about talking to a person and I would ask things like, do you smoke, what kind of cigarettes do you smoke, and if he doesn't have cigarettes I would go and buy him, and a person would relax and see that this is a not criminal. And I would try to  
10 beg that person and tell him the disadvantages and advantages of telling the truth. That was my strategy.

MR SANDI: Were your colleagues using the same strategies of getting information from those people arrested?

MR BOOI: No I won't say that.

MR SANDI: What strategies were they using in trying to investigate?

MR BOOI: The thing ~~is if I am saying~~ I am interrogating a person I would take that person, even if there were lots of people who would be asking him at the same time and the  
20 person would end up confused, I would take him aside and the two of us and a person would feel at ease and feel free because he is no longer in the crowd and we were just chatting.

MR SANDI: Let me ask this question like this. Your colleagues, as people that were working to get information without assaulting them, and the people would cooperate?

MR BOOI: Yes, when chatting I would tell them and say, sometimes a person there is a need that you mustn't rush him, just take him aside and chat with that person and the  
30 person will subside, without touching the person.

MR SANDI: What would make you tell them about that?

MR BOOI: Yes I was actually planning for the situation because that used to happen in court that a person will tell the Court that he was assaulted. Being a person in charge I wouldn't have a knowledge and that particular person will say that Mr Booi was not there, and he wouldn't tell me that he was assaulted. So I was trying to avoid such things. Because if a person is taken to court, or maybe the other one has made a confession and the person will say I confessed because I was assaulted, that was not my intention to confess. That was one of the things that I wanted to show them, that they do not work at all.

MR SANDI: Do you say that sometimes your colleagues in the police force were assaulting people during interrogation, is that the reason why you were telling them that you have a special way of talking to people?

MR BOOI: Yes that's ~~correct~~ Sir, yes

MR SANDI: Was that accepted according to the restrictions that you were working under that the people should be assaulted during interrogation?

MR BOOI: No that was an unlawful act.

MR SANDI: When it was later discovered that such a thing happened what steps were taken? Were there any steps that were taken after a person is assaulted during interrogation?

MR BOOI: No, the thing is even the person who was being interrogated and assaulted wouldn't tell that he was assaulted so that we can open up a case. That kind of information will be revealed after the release and now that would be done in this way, that a charge would be laid

against those people.

MR SANDI: You mean all the people who were assaulted during interrogation there's not even a single one who gave you the report as the head of the police at the time and tell you that he was assaulted by the people that were interrogating him?

MR BOOI: I don't remember, I only remember Mr Buka who told me that he was hit in his ankle by Mr Mfaswe. Sometimes you would see that this person, sometimes you  
10 would find a person crying and when you ask the reason why he would tell you that I was assaulted. Who assaulted you, but he wouldn't tell you. I am not sure whether the person was scared that if he can tell he would be assaulted again.

MR SANDI: The one that you are talking about, Mr Buka, the one that you say he was hit in his ankle, were there any steps that you took after finding out that he was assaulted?  
ARCHIVE FOR JUSTICE

MR BOOI: I just looked at him and tried to look at his ankle because sometimes they would say that this is painful  
20 and he would ask to go to the doctor but he didn't ask to go to the doctor.

MR SANDI: Do you mean though this person complained, Mr Buka complained, you didn't have him to try and lay a charge of assault?

MR BOOI: No, I just called this member, the person who assaulted her and he said no he was lying.

MR SANDI: But you could see that Mr Buka's ankle was swollen?

MR BOOI: No it was not swollen.

MR SANDI: Mr Kati, the one that you say you heard that he's private parts were pressed, who told you that?

MR BOOI: I cannot remember whether he was the one who wanted to go to the doctor and say that he was not feeling well. I can't remember whether I got that from somebody else, but I heard that that took place up there in the mountain, but I don't know who was directly responsible, but I heard about that.

MR SANDI: Do I hear you clearly when I say you said even  
10 though you would find out that some people were assaulted during interrogation or maybe hearsay, you wouldn't take any steps, you wouldn't take that further?

MR BOOI: No Sir I cannot say that there is something that we would do because a person would be told that if he would like to lay a charge you can do so and one would say no I am not prepared, then you would leave that person alone. Because if a person ~~is prepared~~ to lay charges we are obliged to take somebody else who was not in our group to take a statement from that particular person about the  
20 assault so that we could go on with that.

MR SANDI: Lastly, what is the rule about situations whereby a detainee says he was assaulted and pointing fingers to your colleagues, as a policeman in that kind of a situation, how would you react?

MR BOOI: If he says so it's - I ask if he's prepared to lay charges he would say yes I want them to be prosecuted, if I was not there during that incident I would ask somebody else who is actually impartial to come and take the statement because I don't want it to look like I am  
30 being biased to my colleagues. It should be a person from



the other side.

MR SANDI: Is there any case where you ever - is there any case where something like that was done, especially the names that are mentioned in this subpoena?

MR BOOI: No. According to my knowledge nobody ever laid a charge.

MR SANDI: Is there any case during your times in the police force, especially in times while you were at the security branch, do you remember anything where a person  
10 came to complain and you heard that particular person to lay a charge and the case was taken to court and the accused was prosecuted?

MR BOOI: No Sir, there is none. It's only - these people would come after they were released and say that they were assaulted and a docket would be opened and there would be an identification parade and the case would go on from there.

MR SANDI: Thank you Mr Booi.

CHAIRPERSON: Tiny Maya.

20 MS MAYA: Thank you Chairperson. Mr Booi I have just a few questions to add on Mr Sandy's questions. In Mr Kati's incident you said the person who was in charge of the investigation and interrogation of Mr Kati was Mr Dingana?

MR BOOI: Yes that's correct.

MS MAYA: At the time they went up the mountain to try and look for some other things where was Mr Dingana at the time? Was he there?

MR BOOI: Yes he was there with them. I was left behind.  
The other group went up to the mountain and the others  
30 went to the house.

MS MAYA: I noticed that in a lot of questions that you have been asked your answer is I don't know and I don't remember, what was your rank at the time during this investigation?

MR BOOI: It was Dingana who was in charge. I was working with him.

MS MAYA: Who was a senior between the two of you?

MR BOOI: It was Dingana.

MS MAYA: At the time you heard that Mr Kati is injured  
10 and he was also tortured, as a person who had interest of trying to protect the people who were assaulted, you didn't have any interest of trying to know who actually tortured you?

MR BOOI: Since 1981 there were a lot of people who were arrested, especially during the times of Mr Kati, to such an extent that you had to rush for the seven days. Because it was said that towards the end of seven days people's matters should be clear, what is actually happening. I didn't concentrate much on Mr Kati's matter. I was also  
20 helping with the other detainees. I had to come to Ngcobo to search the other house and I left Mr Kati in Butterworth. Mine was to help, if there's a person who would like to go to the doctor I would arrange that that particular person should be taken to the doctor.

MS MAYA: As you have said that Mr Dingana was present. According to your knowledge do you think that Mr Dingana can give us a direction as to who actually tortured Mr Kati?

MR BOOI: Yes I think so, I have that hope as the people  
30 who were together went up the mountain.

MS MAYA: Thank you. Let me go to the next question. As you were talking about Madliwe you said he was the one who was working with the askaris, can you tell us what do you know, what do you understand about the askaris, who were the askaris?

MR BOOI: The names of the people, I only know that it's the freedom fighters who were converted from freedom fighters to work for the police. They didn't have their real names, instead they had pseudonyms. I never said that  
10 those were their real names. Because a person who was working with Madliwe, even if they crossed the borders Madliwe would come to the office and leave them outside and say that I want to go out, I want to get a policeman, we are around. Their names I don't know them. Sometimes I would see that this person is with Madliwe but I don't know him. It was a secret, knowing their names was a secret.

MS MAYA: Those that you used to see are they still around now or just tell us briefly to explain, you didn't get to know that among those who you saw, who you ended up knowing  
20 their names?

MR BOOI: These people were not originally from Transkei as I left the security police in 1990 I had nothing to do with anything from the security police. I am not sure Ngqole I think was from East London. I don't even know the surname.

MS MAYA: You don't even know where she ended up?

MR BOOI: No.

MS MAYA: What was Madliwe using - in what way was he using these askaris?

MR BOOI: They were used to identify the people who were coming from exile who were in operations here in the country.

MS MAYA: What would happen thereafter?

MR BOOI: They would be arrested, because if they come in they are actually here for a mission, an operation, then they would be arrested.

MS MAYA: As Madliwe was not there who else, as Madliwe is late who else can give us a light about the askaris? Except  
10 Madliwe, who else was working with the askaris?

MR BOOI: The Whites that I was talking about, van Wyk and Mazamiso, they would know. I am not sure actually who was also working with Madliwe because those from Transkei would come and be given to Madliwe, that's the police from Transkei.

MS MAYA: At the time what was your rank as you were giving the instruction to your subordinates?

MR BOOI: I was helping Dingana, Dingana was still a head.

MS MAYA: Were you in charge at that station?

20 MR BOOI: No I was in the head office.

MS MAYA: Who was responsible for keeping the records or details that a certain officer or one of your subordinates, his whereabouts, who was actually in charge of that kind of information?

MR BOOI: In the police force there is only a pocket book that if you are going out there's a personal pocket book that shows your activities for the day. There was not a special record where that was kept.

MS MAYA: In the shootings, earlier you said Mr Dingana  
30 was there, he was present at the first shooting?

MR BOOI: Yes.

MS MAYA: At what stage did he go there?

MR BOOI: What do you mean?

MS MAYA: Did he go there before the shooting or he was there on the scene during the shooting?

MR BOOI: He went there after the shooting where Mvelele was arrested, Mvelele and the others were arrested. I am not sure if he went there for the next shooting.

MS MAYA: You don't even know who was in charge in that investigation of the second shooting?

MR BOOI: No it was Whites. The only person that I know from this side was the anti-riot and Bulawa.

MS MAYA: And this Transkei security branch don't you know anybody who went there in that shooting?

MR BOOI: No.

MS MAYA: Thank you Mr Booi.

CHAIRPERSON: Mr Sandi.

MR SANDI: Thank you Mr Chairman. Mr Booi where did you try to contact Mr Madliwe, you as the security police in Transkei?

MR BOOI: I can't remember well the year Sir, because as I have already said there was cooperation between the Transkei police and the South African police, but I don't remember when they started because I used to be absent from Umtata and when I come back the situation was still, was going on and I didn't stay for a long time in Umtata because I went to Port St Johns and I came back in 1981 and I saw them then.

MR SANDI: When I hear you clearly in your evidence you said that Mr Madliwe was well known to you as the police

who was in the security branch in Transkei?

MR BOOI: Yes but he was stationed here in East London.

MR SANDI: Did he ever go to your office in Transkei?

MR BOOI: Yes.

MR SANDI: Can you please tell us Mr Booi about the assistance that Mr Madliwe used to ask from you? Did he ever ask for assistance from your office?

MR BOOI: Yes.

MR SANDI: What kind of assistance?

10 MR BOOI: Maybe if he wanted the police in Umtata he would come to my office and also the askaris he would request someone from Umtata since he was from East London to accompany him. That's the assistance we used to give him.

MR SANDI: Do you think that Mr Madliwe, these things that Mr Madliwe did because he was from the South African police, was this well known that he would come to your office for assistance?

MR BOOI: I think it was well known.

MR SANDI: What is the reason for you to say that it was  
20 known?

MR BOOI: I think the police who was in charge here in the security knew about this relationship.

MR SANDI: Were there any orders written down or spoken that Mr Madliwe and his askaris would contact you and cooperate with you, were there any orders concerning that matter?

MR BOOI: No I don't remember, I don't remember any orders written down or given that how we will work, but what I know is that we knew that these people were coming to  
30 Transkei to identify people, and they would come from East

London to Transkei to identify them, because they knew them from exile. There were no orders from the office or instructions from the office.

MR SANDI: Are you finished?

MR BOOI: Yes.

MR SANDI: At the time you were in charge in the office, when you assisted Mr Madliwe and gave him one of the police to assist him, were you doing this under what instructions?

10 MR BOOI: I came there to that office and this was already happening. I was in the field work and under Dan and I would tell him that one policeman has gone out with Madliwe and there was no problem with that.

MR SANDI: Were there any other situations or places where you used to meet Mr Madliwe as the police without meeting him in the office while he was asking for your assistance? Were there any places other than the office where you would meet?

MR BOOI: No, except when we come here in East London, maybe we come to listen to the interrogation and he would  
20 be there.

MR SANDI: Thank you Mr Booi. Thank you Mr Chairperson.

CHAIRPERSON: Mr Booi do you need any water or something?

MR BOOI: No thanks I have already had coffee.

CHAIRPERSON: Don't you need any water that is in front of you?

MR BOOI: No, thank you.

CHAIRPERSON: I just want to ask you some few questions. Your position in 1981 in the special branch in Transkei, what was it?

MR BOOI: In 1981 I was a branch commander in Port St Johns. I was promoted in October. I was a warrant officer and I was promoted to a lieutenant.

CHAIRPERSON: Where were you reporting to?

MR BOOI: I was reporting to Dingana because I was under him in the investigation unit and he was under General Kawu. Because there were different sections in the security branch, some would deal with the schools but I was under the command of Dingana.

10 CHAIRPERSON: So you held a senior position here in this special branch?

MR BOOI: No in 1981 I was not a senior, Dingana was my senior.

CHAIRPERSON: You were reporting to Dingana and Dingana was reporting to Kawu and Kawu to the commissioner. What was your rank?

MR BOOI: I was a lieutenant in 1981.

CHAIRPERSON: This Elliot operation where these people were killed was it a South African Police operation or a  
20 Transkei operation or a joint operation?

MR BOOI: The first one was only for South African police when Velele was arrested, but the second one it was a joint operation because the Transkeian police were there and Mbulawa, who was heading the anti-riot was there, and he did not come back, he stayed there looking for these men.

CHAIRPERSON: Am I correct to say that he said there were people from the Transkei security branch who were involved in Elliot, who went to Elliot but you were not there?

MR BOOI: Yes.



CHAIRPERSON: Was it Mr Dingana and others?

MR BOOI: I am not sure who accompanied him.

CHAIRPERSON: How were they involved in the South African operation?

MR BOOI: It was found that the first men who were in the operation when Velele was arrested were coming from Butterworth and they ran via from Umtata and the borders were closed. They came from Butterworth, that's why the Transkeian police were involved.

10 CHAIRPERSON: So you say that Transkei had an interest to find out what happened to these people?

MR BOOI: Yes. Because since there was this case, the police case who were shot in Butterworth they wanted to find these people alive so that they can give them evidence on what happened in Butterworth in the first case.

CHAIRPERSON: So this killing affected your interest because you wanted information from them?

MR BOOI: Yes it affected it very much.

CHAIRPERSON: Did you investigate how these people were  
20 killed from your counterparts in South Africa?

MR BOOI: As I have already said Sir, I heard that they were shot while they were fighting with the police. There were no clear details of what exactly happened. I just heard that they had weapons with them, they were shooting the police and the police were shooting back, so that's how they were killed. There were no further investigations done on what really happened.

CHAIRPERSON: Thank you. Lastly, maybe in this list of people who are written here, those who said that you were  
30 the one torturing them, you said that what they said was

not true because you were not torturing people. What do you think is the reason for these people to say that you were the one torturing them?

MR BOOI: I think the reason is that these people knew the person who was in charge as I was the one who was in charge that's why they mentioned my name.

CHAIRPERSON: The methods that were used in Transkei at that time when people were tortured, what were these methods?

10 MR BOOI: I said that before, I did not like torturing or assaulting people. That was not my style. There's a method that they use which is called a helicopter, when they say a person is riding a bicycle. I remember that man showed me what was happening because I was not present and he told me that they put a rod underneath his legs and that was the other way of torturing people. They would say that that is a bicycle. ~~And I asked him~~ what happened before, why didn't he tell me before? He said I was afraid. I would say just tell the truth. That was one of the methods  
20 that they were using as tortures. That was not a common practice, they would hide that kind of information because they knew very well that as a person who was in charge I was very much against, even if you would ask the victim who was tortured he would not say, he would not tell the truth, he would only hear that information after his release and he would now identify the person afterwards.

CHAIRPERSON: Were there any other ways used to torture people except the one you've just described?

MR BOOI: No I don't remember Sir. No I don't remember  
30 any. I don't want to lie.

CHAIRPERSON: Thank you. Over to you Mr Mpumlwana.

ADV MPUMLWANA: Mr Dhlamini there's this issue that I want you to explain to us where these young men who stayed with Sangoni, young men from Mr Ntepe's house, the four young men who were killed there in Ncambehlane, do you remember?

MR BOOI: Yes I remember. I was in the office at the day of this incident. Madliwe and his squad were present but I don't remember when they came, whether it was in the morning or what, but I heard a report during the day that  
10 this thing has happened, people were shot there. I am not sure which policemen accompanied him from our branch because he couldn't go alone. He would request one policeman to accompany him, but I don't remember clearly who accompanied him that day. I am not sure whether the young man who was Nxale was present in this incident.

ADV MPUMLWANA: Was he the one from Unitra? Was he the one who was a student in Unitra, Ndoondo, Ndoondo Batandwa. Who was there exactly?

MR BOOI: I don't remember him but I do have his picture.

20 But in this Sangoni case I am not sure whether he was there, this young man Dandala, his name is Dandala. I was working with Dandala and Wana. They were always available to accompany Madliwe when he went to Transkei. It was Dandala and Wana, but I am not sure between the two of them who was there in this incident.

ADV MPUMLWANA: Is Dandala still alive?

MR BOOI: I am sure that he is still alive.

ADV MPUMLWANA: Is he still a policeman?

MR BOOI: I am not sure, I don't know.

ADV MPUMLWANA: What about Wana?

MR BOOI: I am not sure about Wana's case. He disappeared from Transkei at the time of Duli, he came here in South Africa but I am not sure where, but he was no longer in Transkei.

ADV MPUMLWANA: Who were the White men who were in the van after these people were shot, a 4X4 van? Please think.

MR BOOI: I don't remember clearly.

ADV MPUMLWANA: These men were in a tinted combi, the one  
10 who shot these men.

MR BOOI: I don't know, I never saw them.

ADV MPUMLWANA: Let me remind you. After these people were shot by the people in the combi in Nxambelhane the combi went to Mbuqwe and it was found there, and the Stofile guy chased the combi.

MR BOOI: Yes I do remember Stofile.

ADV MPUMLWANA: And ~~Dumisa Ntsabezi~~. They chased this combi and it went to the charge office, and it went through the back and Maderi(?), his combi. They came in and they  
20 were showed the person who shot these people. And this one policeman came with a gun but he was stopped and you arrived driving a car in the charge office. I don't remember who was driving with you. I just want to remind you about this incident.

MR BOOI: No I don't remember any of this.

ADV MPUMLWANA: You arrested these men. You were cooperating with us the whole morning, please explain this incident to us. You sat in their car and they were arrested and their camera, you took their camera from them.

- MR BOOI: The Sangoni men?
- ADV MPUMLWANA: No, the Sangoni men are dead. I am talking about Mbete, do you still remember Mbete?
- MR BOOI: Yes I do remember Mbete.
- ADV MPUMLWANA: Do you still remember ...(indistinct)?
- MR BOOI: Yes I do.
- ADV MPUMLWANA: And there was this Stofile guy who was a lawyer.
- MR BOOI: Was he there?
- 10 ADV MPUMLWANA: Yes he was there, he was the one driving the car. He parked the car and you came out of the car, you sat in this car and at the time the 4x4 was standing there, was also packed there.
- MR BOOI: No I don't remember this incident.
- ADV MPUMLWANA: I would like you Mr Dhlamini to tell us the truth about this matter.
- MR BOOI: I don't remember this, I am not lying, but I don't have a picture of this incident.
- ADV MPUMLWANA: Dhlamini, people were killed.
- 20 MR BOOI: I am not denying that.
- ADV MPUMLWANA: The security police were involved.
- MR BOOI: Yes, I don't deny that.
- ADV MPUMLWANA: You were the one who gave them to Madliwe to go town and kill people and you had a full knowledge that Madliwe was killing people.
- MR BOOI: No, I did not know that.
- ADV MPUMLWANA: The Ndondo guy was already dead at the time. It was in 1985, the Ndondo case was in 1985. I am trying to say people were killed during the day. The
- 30 security police were not aware of what was happening, you

don't know who these people were. It was during the day in Umtata.

MR BOOI: Madliwe came to me and he explained that in Nambezcana in North ...(indistinct) we met people - what happened there I don't know because Madliwe didn't stay for a long time because there was one person who was going to identify these people but I don't remember being there when they were identified. But I heard that one of them was Sangoni.

10 ADV MPUMLWANA: I said that I want the names of the White men who were in the 4x4.

MR BOOI: I don't know them Sir. I am not going to lie, because I don't even remember the incident that you were talking about that I went to the charge office and searched the car, I don't remember that incident.

ADV MPUMLWANA: It was Mr Mbete and he was in the car at the time.

MR BOOI: Yes I do know Mr Mbete but I don't remember this incident when these White men were there.

20 ADV MPUMLWANA: Was there anybody arrested in the killing of these people?

MR BOOI: I don't remember people being arrested and found guilty but a docket was opened.

ADV MPUMLWANA: But you knew who killed these men?

MR BOOI: No. ...(tape ends)

ADV MPUMLWANA: And he came back telling you that something happened in Nxambezana and Madliwe left and you were aware at the time that this person was involved in the killing of these people.

MR BOOI: Sir people were killed and they died and we had to investigate how this happened, and we knew that Madliwe was here in East London and he was the one who was going to give details of what happened together with the people he was working with. That's why I saw I was not present when the statement were given when this issue was investigated.

ADV MPUMLWANA: But you gave Madliwe one of your men, Dandala or Wana, one of them to go and work with Madliwe at the time these men were shot?

10 MR BOOI: That's what I say I am not sure whether they were there. I am saying that I am not sure because Madliwe would come and report that we are around and we request one police to accompany us and if I was there I would give him one policeman to accompany him.

ADV MPUMLWANA: I am not satisfied Mr Dhlamini. You were cooperating with us.

MR BOOI: Sir please be satisfied because I am here to tell the truth and I can't tell you something that I am not sure of. I hear you, you say that you are not satisfied  
20 but I can't say something I am not sure of.

ADV MPUMLWANA: Mr Dhlamini I am telling you about the people who said to me - Mr Stofile is the lawyer.

MR BOOI: Yes I know him.

ADV MPUMLWANA: He said that you were the one who arrested him and he knows you.

MR BOOI: Yes he knows me.

ADV MPUMLWANA: You know Mr Mbetete?

MR BOOI: yes.

ADV MPUMLWANA: And he's the one who said that when they  
30 were there you came with your car and you searched their

car and they were arrested and they were released by Mr Tikinxax(?). No, Mr Tikinxax was arrested and you took him from the charge office. What I want to know from you is that I am trying to investigate and find out the people who killed these men. You were not there but I want you to explain because you have a knowledge that there was this 4x4 and it was parked near the charge office and you parked your car and went outside and searched this other car and you took Tikinxax and you arrested him. That's why I am  
10 saying that you do have a knowledge about this incident.

MR BOOI: Yes I do Tikinxax. I remember arresting Tikinxax in Kwezi. I arrested him in Kwezi. No I was arresting him for another case. He just arrived from exile and he was sentenced. That's the only time when I arrested Tikinxax. I was amongst the people who arrested him at that time.

ADV MPUMLWANA: This Sangoni case was investigated by Mr Ntsabeza, what do you know about this incident? Please tell us what you know about this case.

MR BOOI: I don't know anything about this case being  
20 investigated because when people are killed a docket is opened and the case is investigated. I was not there when the case was investigated, because if I was there I would have a broad knowledge of what happened so I was not there when the case was investigated. That's why today I don't have a broad knowledge that would satisfy you.

ADV MPUMLWANA: Maybe Mr Dhlamini you don't want to bind yourself.

MR BOOI: No Sir that is not the case.

ADV MPUMLWANA: The Act says that whatever you say here  
30 will not be used against you in any court of law. Sir this



is a private gathering, so please tell us the truth Mr Dhlamini.

MR BOOI: I am not running away from anything.

ADV MPUMLWANA: Let us now continue. When Mr Kati was arrested where was he arrested?

MR BOOI: If I am not mistaken it was in Butterworth.

ADV MPUMLWANA: Who was in charge for this arrest?

MR BOOI: There was a detention warrant and Dan would sign that, but if Dan was not there I was the one signing it.

10 ADV MPUMLWANA: You were in command in the police station in Butterworth at the time?

MR BOOI: No I was not in command, Nyangeni was in command. I was helping Dan in the investigation. I was under Nyangeni because he was the one who was in charge.

ADV MPUMLWANA: Is he still alive?

MR BOOI: He is on pension.

ADV MPUMLWANA: Where is he?

MR BOOI: I think he's in Xentane or Willowvale.

HEARING ADJOURNS

20 ON RESUMPTION

DHLAMINI YOSANDILE BOOI: (s.u.o.)

EXAMINATION BY ADV MPUMLWANA: (cont)

I would come back to this incident we were talking about. General Lavisa, what was his role? Where was he and what were his duties?

MR BOOI: Lavisa was under the security branch. We used to work together sometime. He was from Esabelene and I was not at the head office at the time. I was transferred to the head office in 1982 and he was already there. When the  
30 case was being investigated and people were interrogated he

used to be there in some cases, but I am not sure which cases. And I remember, but I don't remember the year, they were involved in the case of Mr Sabata. He used to help in the investigation and he would come when we were interrogating people. But I know him exactly when he was in the head office from 1982.

ADV MPUMLWANA: Please tell us about the death of September Nozokwe.

MR BOOI: September Nozokwe died in Namaqwe. He was  
10 detained in Umtata when I was transferred to Butterworth.  
I heard that the way he died, I heard from the people who were in charge, Mr Sipambo, and Tsane, they were the ones who were in charge and I found out that he died under their command and there was a case opened against them, Sipambo and Tsane.

ADV MPUMLWANA: Who was investigating this case?

MR BOOI: I am not sure who was investigating it but we are not the ones who were investigating this case. I was not the one who was investigating it.

20 ADV MPUMLWANA: Do you know Vulendhla Shilukwe?

MR BOOI: Yes, he's one of the young men who was stationed in Butterworth.

ADV MPUMLWANA: Who was in charge in Butterworth at the time?

MR BOOI: I think it was Nyangiwe. I only stayed in Butterworth for six months and I went back to Umtata. Nyangiwe was in charge, I think Nyangiwe was in charge.

ADV MPUMLWANA: How was Zokwe Fechane killed?

MR BOOI: I heard that he blasted himself with a  
30 handgrenade.

ADV MPUMLWANA: Is that believable?

MR BOOI: I didn't believe it because I did not know what happened but I heard that, if I am not mistaken, the handgrenade was in his hand and he was going to show them where the weapons were, but I am not sure exactly how he was killed, but I think Stani and Mpumla are the ones who have the knowledge.

ADV MPUMLWANA: Are you talking about Vulindlele(?) the one known as Chris?

10 MR BOOI: I think he's the one. I don't know the Vulindlele name, I know his surname, that was Shiloko.

ADV MPUMLWANA: You say you don't have any knowledge about his death?

MR BOOI: I am not sure because I was not there. I just heard from people and I don't like telling people something about the case when I was not there.

ADV MPUMLWANA: Please tell us about Jafta's house, when it was burning down in Willowvale, the house and the shop.

MR BOOI: You are going to say I am running away from the  
20 truth. I was in Umtata at the time and I heard that some of the police went to Willowvale and they heard that there were freedom fighters who were there in Willowvale. I went there to join them. When I arrived there the shop was already burnt down and the police were all around the place. The ones from East London were also there, Naude and Chris were there, but I don't remember his surname, he was a sergeant, I just know his name, Chris. They were all around the shop and at the time the shop was already burnt down. I left and ...(indistinct) Dingana Kupe and Bulawa  
30 were there.

ADV MPUMLWANA: Who is Kupe?

MR BOOI: Kupa, the father of Zamile who is in Radio Transkei. There was Kupe and Kupa but I am talking about Kupa. I am not sure, it seems it's Kupe or Kupa, but he's the father of the DJ on Radio Transkei. He is a pensioner now. I went back to Umtata and I came back the following day in the morning, and the police were there at that time and I left them there with Dingana. I went back to Umtata.

I came back the following morning and when I arrived there  
10 I heard that they were in the bush, but I don't remember the name of the village. We looked for these men in the bush.

ADV MPUMLWANA: Was it Mqagane(?)

MR BOOI: No it was at Mqgayi, Mqgayi is near Xocha. It was near Willowvale. The Mqgayi case came after this one.

I was there when we were searching Mqgayi. On the second day we met a car, a Golf and the police were there and I heard from a radio that there was a car coming and they met this Golf passing them and one person suspected this Golf  
20 and Booi was arrested in that incident, Booi Jafta. And I did not go there, I just concentrated on this case because they left a car there and we went to the bush to look for these men.

ADV MPUMLWANA: Mr Jafta was arrested there.

MR BOOI: Yes I do remember that.

ADV MPUMLWANA: Max Jafta.

MR BOOI: Yes.

ADV MPUMLWANA: And his wife was arrested, Mrs Jafta and Booi was arrested, his son.

MR BOOI: We found Booi in the bush and arrested him. I don't remember about Mrs Jafta.

ADV MPUMLWANA: Who was in charge in that operation?

MR BOOI: It was Brigadier Dingana, he was a brigadier at the time.

ADV MPUMLWANA: Brigadier Dingana?

MR BOOI: Yes Brigadier Dingana.

ADV MPUMLWANA: Who was in charge of the investigation?

10 MR BOOI: The investigation was under the Butterworth group, they were the ones with the knowledge and the information. And Captain Faswe was the one in charge at that side.

ADV MPUMLWANA: He has passed away?

MR BOOI: Yes, but he was still alive at the time.

ADV MPUMLWANA: What about Matafene?

MR BOOI: Matafene was under him. He was a senior and Matafene was his subordinate.

ADV MPUMLWANA: What about Gladi? He was in Umtata, was he involved?

20 MR BOOI: I am not sure but I can say that he went there, I am not sure whether he was involved or not but he was in the head office in the administrative unit. I can't deny the fact that he was involved in taking part in the investigation.

ADV MPUMLWANA: Mr Jafta was assaulted, is that true? Was he assaulted at the time he was arrested?

MR BOOI: Yes at the time he was arrested. I don't remember his arrest but I met him in prison in the cell and while we were interrogating him about this case of Mxgayi.

ADV MPUMLWANA: Who burnt down the shop?

MR BOOI: I am not sure but what I know is that there was a shooting and the anti-riot squad had the weapons and there was shooting all over, the police were shooting. It was not linked with the fire but there were shots all over and that's how it burnt down. But I am not sure who exactly did that. When I arrived there I met the Transkei police and I could see that they were tired at the time because they were hungry. They started in the Batandwa  
10 Ndondo case.

ADV MPUMLWANA: Who was the Transkei police who was there?

MR BOOI: It was Dandala, he accompanied Madliwe.

ADV MPUMLWANA: Do you know his first name?

MR BOOI: No I don't.

ADV MPUMLWANA: And Xoliswa and Nxolo.

MR BOOI: I found that Nxolo was there and one other guy known, called Moss, he was one of the askaris. I think he was from Transkei but I am not sure, because people were not telling the truth about their background.

20 ADV MPUMLWANA: Let us now go back. You will forgive me Mr Dhlamini, let's go back again to this case where Mr Sangoni and Bimayape and Mgibe were killed. Please remember even the things you heard about the case and tell us a more clear - and give us a more clear picture of what happened.

MR BOOI: Sir I can't say it because I am not sure about this case. I didn't leave behind anything. I told you everything I know about this incident, because I told you that Madliwe came to the office and asking for assistance,  
30 and then I gave him one of the men, Dandana or Wana, I am

not sure which one. There was another man called Black Cat, it's Nombanga. His surname is Nombanga. Those were the young men who were with me in the head office, the ones which used to accompany Madliwe.

ADV MPUMLWANA: What about Nongoco?

MR BOOI: There was Nongoco who was in the branch ... (intervention)

ADV MPUMLWANA: With Dingana?

MR BOOI: No Dingana was already in the head office at the  
10 time. He was the head of the investigation unit, section.  
Nongongo was in the branch, but I don't remember the  
branch commander. It was Sifumba if I am not mistaken,  
General Sifumba. Ngongo was on the other side in the  
branch.

ADV MPUMLWANA: Between the three men ... (intervention)

MR BOOI: I am not sure about Nongogo maybe they found him  
in the street and called him to join them.

ADV MPUMLWANA: You - they accompanied Madliwe and when  
did you get the report back?

MR BOOI: I got the report in the afternoon that there was  
20 a shooting.

ADV MPUMLWANA: Where were you at the time?

MR BOOI: I was in the head office and then I received a  
report that they shot people there and Madliwe arrived and  
I asked him what happened. He told me that we shot people  
there. He didn't tell me who shot these people. Then I  
asked him who are these people, he said they were freedom  
fighters. I don't know whether Dingana heard this from me  
and then he reported it to the seniors. I am not sure  
30 whether the police from the charge office went to the

scene, I am not sure about that one. But when all this was happening I was in the office.

ADV MPUMLWANA: But let me ask you this question. Do you know that you gave Madliwe these men and they came back reported to you that they have killed people, you gave them permission to go out and work and then this person, they came back to you and told you that they have killed people, and after that you did not even want to know who was killed, why they were killed, and you did not investigate this? And you did not even want to know from Madliwe that you come here in Transkei and kill people, you were not interested in knowing all this Dhlamini.

MR BOOI: Madliwe said that he would come back and make a statement concerning all this, all what happened there. That's why I dropped this, but I've reported this.

ADV MPUMLWANA: To whom?

MR BOOI: I don't remember whether I told Dingana or Dingana told me about this but he was the one who was close to me.

20 ADV MPUMLWANA: Who was in charge, who was a senior to Dingana?

MR BOOI: General Kawe.

CHAIRPERSON: General Kawe, who else ...(intervention)

MR BOOI: At the security branch.

CHAIRPERSON: At the time when people from Umtata were killed where was General Lavisa?

MR BOOI: I think he was in the head office. His rank and Dingana was the same.

ADV MPUMLWANA: Were they brigadier at the time or  
30 generals?



MR BOOI: They were brigadiers - no they were not yet brigadiers, but I call him brigadier because he was later called brigadier. They were my seniors, both of them.

CHAIRPERSON: Mr Booi, before we adjourn for five minutes you said that there was a docket opened about this case, no one was found guilty about their death.

MR BOOI: Yes I said that.

CHAIRPERSON: All this time you knew that Madliwe reported to you about this accident.

10 MR BOOI: Madliwe, as I have already said, he came to me with a statement concerning what happened there. That's why I said that I couldn't follow-up the investigation because I don't know who took the docket and investigated this issue. I don't remember a person prosecuted and sentenced or found guilty about this incident, but it was known that Madliwe and his squad were present there and he promised to come back from East London to make a statement.

CHAIRPERSON: So can you dissociate yourself with the death of these people?

20 MR BOOI: No but I - I can't because I gave one of my men to Madliwe to accompany him, so I can't disassociate myself completely.

CHAIRPERSON: Miss Maya?

MS MAYA: Mr Booi when people died without a natural cause the reason an inquest is done is to find out exactly why they died, was there any inquest concerning this matter?

MR BOOI: I am not sure, I can't say there was no inquest, but I am not sure.

MS MAYA: At the time what was your position in the  
30 special branch in Umtata?

- MR BOOI: I was in the head office.
- MS MAYA: Doing what?
- MR BOOI: I was in the investigation unit.
- MS MAYA: What was your position there?
- MR BOOI: I think I was a captain or a major.
- MS MAYA: In other words, if I still remember well you were a major, I think between a major or a captain I am not sure. The person who accompanied Madliwe was - you were the one who permitted him?
- 10 MR BOOI: Yes.
- MS MAYA: In other words you were supposed to be responsible because you knew that Madliwe and his people were there to do their job?
- MR BOOI: Yes I knew that Madliwe was there to do the job.
- MS MAYA: Wasn't there anything that made you to follow up about this investigation as you were the one who knew about this operation, because you knew that Madliwe was there and you assisted him? Didn't you have any responsibility to do anything?
- 20 MR BOOI: What my responsibility was to try to get Madliwe to give a statement of what happened there, of who shot these people.
- MS MAYA: According to your knowledge did this policeman make a statement, the one who accompanied Madliwe?
- MR BOOI: I am sure he made a statement but I didn't see the statement, but I am sure that he made a statement.
- MS MAYA: You didn't see a statement but you just said that it was your responsibility to see that the statement is done and handed over to the person who handled the
- 30 docket.

MR BOOI: It happens that even if the case is committed by the security branch and then the security was not responsible for investigating that case, it may happen that, I am not sure, but it may happen that someone else handled that docket. There is a CID branch investigating the security branch. I don't remember that we were the ones that investigated this case but we supplied them with details of who, of the people who were there.

MS MAYA: Madliwe came back and reported to you and  
10 promised to come back and make a statement?

MR BOOI: Yes.

MS MAYA: There are sets of facts which are not disputed that Madliwe and his team when they came back to Nombehlana they went to Umtata police station to ask for assistance and they were hidden back with their combi at the back of the police station. And I heard that you denied the fact that you went there with your car and the people who were following Madliwe and his team were arrested.

MR BOOI: I said that I don't remember.

MS MAYA: Yes I heard that, you said that you don't  
20 remember but Madliwe came back and reported this to you.

MR BOOI: Yes.

MS MAYA: And the procedure of the police is it that someone is supposed to promise that you would come back and give the statement why people were killed?

MR BOOI: No.

MS MAYA: But in this case why did this happen?

MR BOOI: This case was investigated by the police who were in charge of investigating it. Because as I have  
30 already said Madliwe was with his team which I don't know

who they were and I did not know what happened when the shooting took place.

MS MAYA: Was there any other reason to leave Madliwe, to let him go without giving a statement and after so many years you said that you don't know what happened?

MR BOOI: Madliwe is a policeman from East London and he used to go to Transkei and he was well-known on that side.

We all knew Madliwe in the security office. It was not my duty to say that Madliwe I arrest you with your team, because I reported this to my seniors. Madliwe was a policeman and the police, if this happened, the police cannot be arrested at the same time, cannot be charged at the same time, but the issue is looked upon and discussed before the policeman could be charged. And then I reported this to the seniors that Madliwe was here and this happened. I was waiting for the instructions from my seniors that I should arrest these people.

MS MAYA: Did Madliwe come back as he promised?

MR BOOI: Yes he gave a statement although I did not see the statement.

MS MAYA: And then what happened after that, do you know?

MR BOOI: No I don't know. I don't know where this ended.

MS MAYA: A last question. The policeman you gave to Madliwe what did he report back to you since you know that there were people killed?

MR BOOI: As I have already said I am not sure which one of the three policemen went out with Madliwe on that day. But what I found out is that the people who were with Madliwe shot people on that day, but I did not get who exactly shot these people on that day.

MS MAYA: Mr Booi my question is about this one policeman in your office, what did he tell you?

MR BOOI: He told me that one of Madliwe's men was the one who shot people there. He just said to me the people who were with Madliwe, one of the people who were with Madliwe was the one who shot there.

CHAIRPERSON: When these came back to you to report the people - Madliwe and his team, when they came to report to you that they killed three people, what was your reaction?

10 MR BOOI: I was shocked that they killed people, and then I reported this to my seniors. But there was one person from our office who was sent to go there, but I don't remember who that person was. He was sent to visit the place, the scene.

CHAIRPERSON: Were you aware that this affected you because these people came to you and you gave them one of the Transkeian police and they came back to you, they reported this case to you, are you aware that this cases affect you?

20 MR BOOI: Yes, I know.

CHAIRPERSON: You did not take any action although you were affected. You sent someone to look for this ... (intervention)

MR BOOI: I did not send anyone, I reported this case to Mr Dingana that something happened and he also reported this to the seniors. I had to wait. I waited for the instruction from my seniors. I did not have power or authority to go there. I waited for instructions from my seniors, because as I have already said I know Madliwe and  
30 I gave him one of the people from our office to accompany

him. I hoped to get details from the men from our office of what happened. And when that policeman came Madliwe was already not there, and he promised to make a statement from East London and bring it to our office. But Madliwe told me that he brought the statement to the office but I did not see the statement.

CHAIRPERSON: When this Mr Booi is affecting you isn't it natural for you to try and investigate this because it affected you?

10 MR BOOI: There was nothing to hide, I do not hide anything.

CHAIRPERSON: These people who said that you went there and destroyed evidence and you searched their car and you arrested them, are they telling lies because to me it comes naturally that if you are affected in such a case you will try to destroy the evidence? The only way you could kill the evidence is you would take all their cameras and you arrest the people who have evidence.

MR BOOI: I don't remember this Sir, this thing about the  
20 charge office, I don't remember it.

CHAIRPERSON: I don't think you can say you don't remember because this is clear you can say that it happened or it did not happen. Do you remember in details in what happened? You have details of what happened because this incident cannot be easily forgotten?

MR BOOI: I don't remember it, I don't recall it Sir.

CHAIRPERSON: What is another incident except this, you said that this was not the first incident?

MR BOOI: I said that I do remember other incidents and in  
30 this cooperation, because we were working together, the

South African Police, and I once went to Cape Town to fetch Mr Bonono Vena, I was the one who went to Cape Town to fetch him because I heard that he was arrested. And we went to Cape Town to fetch him. Bonono couldn't say a thing to the White policeman and when we arrived there we told him to go back to Transkei, we would require permission from the White man for him to go to Transkei, and we managed to get hold of him but we had to go to the regional court in Wynberg to get permission to go with him and he came back to Umtata at the time when Holomisa was in charge. He is one of the people I took from South Africa.

Again there was one man who was shot in Bezana. He was with Mrs Nancy Xlatula's child. We heard that someone was shot there and they were looking for the other person, the second person. The police found him and there was a hand grenade which blasted there, but that case ended up not being a handgrenade, but the police from the security branch was charged, and Jelele was the one who was investigating, Major Jelele was the one who was investigating this case. And this policeman who was charged was (...indistinct). He was in the other branch, security branch in Umtata. They went out to help in Bezana. That's where Mrs Xlatula's son came in, that if - he was accused of having a handgrenade and we found that that was not true and this policeman was charged. He was under the security branch. That's why I am saying that I am not shielding anything. If someone is responsible for something he has to account for it.

CHAIRPERSON: Who was in charge in Bezana at this time?

MR BOOI: It was Ndambisa, Ndamesa.

CHAIRPERSON: And who was in charge here in Umtata?

MR BOOI: I think it was Major Sefumba, but I am not sure.

CHAIRPERSON: At the security branch?

MR BOOI: Yes, the security branch.

CHAIRPERSON: Who killed Xlatula?

MR BOOI: It was the police from Umtata, from the security branch. They went out to help the police in Bezana. The head office was in Umtata and if there was a problem somewhere, maybe in Ezebelene they would phone Umtata and the police would go there and help.

CHAIRPERSON: How was Xlatula killed?

MR BOOI: We got the report that he had a handgrenade and when he was trying to blow out that police shot him. But when we investigated the case Major Jelele, but he's a pensioner now, he was the one investigating this case, and Mxe(?), Mr Mxe who was shooting at that time came out.

CHAIRPERSON: Don't you remember the one who handled the docket?

MR BOOI: No I don't remember.

CHAIRPERSON: Mr Sandi has a question.

MR SANDI: Thank you Mr Chairperson. Mr Booi when I listened to you in the morning you seemed to remember very well, you had a good memory, because if you remember we started about your career in the police, you remembered that you started in the police force in 1965 and you explained that in one year you were in this police station and transferred from that to that. But let me say that I am disappointed now when you don't remember or recall the



incidents that happened. Let me start by asking you this.

What is the duty of the police concerning the protection of people's lives?

MR BOOI: The police are the ones who are supposed to protect people's lives.

MR SANDI: After listening to you in Transkei although you were a policeman who was in high position in the police force there were no steps you would take when people were killed, killed by people like Madliwe.

10 MR BOOI: I wouldn't say there were no steps.

MR SANDI: Let me put it this way Mr Booi. Cases like Mr Sangoni's case and others would disappear and not continue, that used to happen a lot in Transkei. Whatever reason but it is clear that they would not continue or they would disappear, no one would be found guilty about the cases such as this.

MR BOOI: Yes I would agree with you Sir.

MR SANDI: When Mr Madliwe arrived there in your office was there a lady in his team?

20 MR BOOI: When he arrived to me to report the incident I don't remember seeing any other lady.

MR SANDI: I am talking about the first time when they required someone to accompany him, was there any female together with them?

MR BOOI: I am not sure whether Nqolo was there, but she used to go with him. She was one of the askaris.

MR SANDI: This thing that Mr Madliwe when he asked assistance from your offices then when he came back he would give a report back, did he used to do this?

- MR BOOI: No it was the first time.
- MR SANDI: You mean that he would not come back and report to you?
- MR BOOI: No, but I would hear from one of the police from my office who would accompany him.
- MR SANDI: At the time Mr Madliwe was reporting back to you he had to go back.....
- MR BOOI: No I don't remember. I was alone in my office, there was no one with me.
- 10 MR SANDI: Weren't you surprised that when Mr Madliwe reported this that people were killed he was in a hurry, weren't you surprised about that?
- MR BOOI: When I reported this case to Dingana Madliwe was already in the office. I told him to wait for me and I told him that I was going to report to my seniors.
- MR SANDI: The two men who were working under you surely this was a serious incident where - was there any departmental inquiry where you wanted these men to tell you what happened, where maybe if they require promotion you
- 20 would know to write on their report?
- MR BOOI: No, there was no report written, but the one would make a statement and it would be combined with Madliwe's statement to go to a docket.
- MR SANDI: Thank you Mr Booi.
- CHAIRPERSON: It's just about one o'clock so could you wind up Mr Mpumlwana.
- ADV MPUMLWANA: Mr Dhlamini please tell me about any other thing you remember where the human rights were grossly violated, whether you were not there, but anything you are
- 30 aware of where people were tortured or people were killed,
- SECTION 29 HEARING TRC/EAST LONDON

and where people disappeared, whatever you remember please help us on that matter.

MR BOOI: What I know Sir in this thing of human rights being violated, there are many people arrested where I was involved, people like Pumzile Mayapi and Dubele Nzamela. Their case is similar to the one in Butterworth because they were in Bezana and people died in the castle. I was there when they were arrested. Dubele Nzamela and Bulele, I was there when they were arrested. I was - they  
10 confessed to me. Nzamela confessed to me. And Mayapi confessed in Mt Ayliff in the magistrate's court.

ADV MPUMLWANA: Who was assaulting them?

MR BOOI: I found Mayapi with a blue eye and then I asked what happened. I found that he was beaten while he was arrested in Bezana. Ndabisa was the branch commander there at the time. He had a blue eye. At the time that I arrived I told them to take this person to the doctor.

ADV MPUMLWANA: Did you take a statement why his eye was injured?

20 MR BOOI: It was not that injured. He had a red eye and.....

ADV MPUMLWANA: Who disappeared?

MR BOOI: No I don't know anybody who disappeared. Maybe if one would be arrested and disappeared I don't know anything about that.

ADV MPUMLWANA: Who were killed in your presence?

MR BOOI: Mr Xlatula's son and the other one. He was one of the freedom fighters, I don't know his name.

ADV MPUMLWANA: Where is his body? Where was he buried?

MR BOOI: I can't lie because I don't know anything. I think the branch commander would be the one who has got the knowledge. If someone is unidentified he would be taken to the government mortuary and be buried by the government.

Like this incident in Umtata, I think it was 1985 or 1986 when the police were shot in the charge office while they were in the office. While we were investigating we found that one of the people who shot these police got injured, because we heard that there were two in the charge  
10 office, one was inside and it was the time when there was a curfew. When we were investigating this matter we found that one of them was buried in the bush, Nxato.

ADV MPUMLWANA: Who was that one?

MR BOOI: He was known as Solly. There was one we arrested who was working in Unitra and the body was buried by the government.

ADV MPUMLWANA: Was it Pumsile Solly?

MR BOOI: I don't know about the Pumsile name, but I know that he was known as Solly.

20 ADV MPUMLWANA: Was he shot by one of the people who were shooting the police?

MR BOOI: Yes. There were three men who were shooting these police.

ADV MPUMLWANA: You say that he was buried in the bush?

MR BOOI: Yes in the bush in Nxato.

ADV MPUMLWANA: Who buried him there?

MR BOOI: I heard that his group took him and buried him there. We found this while we were investigating. We found that he was buried there in Nxato in the bush.

ADV MPUMLWANA: Can you identify this place?

MR BOOI: No but it is a bush and I can't identify this place. But this man identified - mentioned Mr Nogumla and he ran away at that time, he disappeared. One White man took us to the bush to show us where this man was buried. That's the only person I know who was buried. One is from Sterkspruit, he was shot in Sterkspruit by the police. Sinyanya has got more details because he was a branch commander there. There was a shooting, because these  
10 people were coming from Lesotho and he was shot there.

ADV MPUMLWANA: Was he shot in Transkei?

MR BOOI: Yes, in Sterkspruit, on the South African side.

ADV MPUMLWANA: When was this? Who can we contact about this?

MR BOOI: I am not sure whether he was a Captain, but he was Sinyanya, the branch commander.

ADV MPUMLWANA: Where is Sinyanya?

MR BOOI: He is still in Sterkspruit.

ADV MPUMLWANA: You don't remember his first name?

20 MR BOOI: No I don't remember his first name.

ADV MPUMLWANA: Do you still remember the year?

MR BOOI: I don't remember clearly.

ADV MPUMLWANA: Aren't you talking about this man that was from King Williamstown?

MR BOOI: I am not sure. It's either from East London or King Williamstown.

ADV MPUMLWANA: Was he shot by the Transkeian police?

MR BOOI: I think the police from Aliwal North were also involved.

CHAIRPERSON: Tiny Maya.

MS MAYA: Mr Booi I only have two questions. The first one is that you did not remember who the branch commander in Bezana was.

MR BOOI: I said it was Ndabisa.

MS MAYA: Who was the station commander or branch commander in Nxala at the time Batanwe Ndundu was killed, do you remember? Between Jelele and Ndabisa.

MR BOOI: No Jelele was in Umtata, Ndabisa was in Bezana.

10 I am trying to think because there was a time there was no security branch in Nxala at the time. Because sometimes a group from Ezebelene would go to Nxala and work there.

MS MAYA: Let me leave that question. I want to know about Black Cat Nombanga, where is he now? He has been mentioned several times in the gross human rights when Leo Xlatula was killed in Bezana his name was mentioned. When Mr Mazwai was killed in Mount Fletcher in 1988 his name was mentioned. And at the time of the attempted coup at Duli in 1990 in Umtata his name is mentioned, and in the  
20 incident of Mr Zokwe in Namaqwe his name was mentioned. And I heard that he is the person who is close to you. Maybe you will know where he is.

MR BOOI: He is in Lusikisiki. He was close to me because he was working with me. As I have already said that between him Wana and Dandala because they were all under me in the head office. I can't confirm the case you've just listed because I don't remember them. Because I don't even know whether he was in Namaqwe at that time this incident happened. Black Cat is in Lusikisiki.

MS MAYA: Is he still a policeman?

MR BOOI: No, because he was arrested in the attempted coup of Duli. He was sentenced to seven years imprisonment, but he was released. He's in Lusikisiki now. He is working in the RDP office in Lusikisiki.

MS MAYA: Thank you.

ADV MPUMLWANA: Let me thank you Mr Dhlamini for the help you've given us. We may require you to come and help us again. We may have some other questions to ask you. Thank  
10 you very much for assisting us.

CHAIRPERSON: Thank you Mr Mpumlwana. Thank you Mr Booi.

As Mr Mpumlwana has already said you may be required for further questioning, if you are required for further questioning, if there is anything else we want to know we will ask you. And as we are going to keep this information confidential we would also like you to do the same. The witnesses we have mentioned in this inquiry we would like you to keep this in your heart. Thank you very much. The inquiry is closed.

20 MR BOOI: I would also like to thank you Sir because I was surprised when I saw this in the newspaper that I am supposed to be here. I knew that this gentleman was in my home to tell me that I am required to come here but I had a different date, I just saw in the newspaper yesterday.

CHAIRPERSON: Mr Mpumlwana are you going to respond to that or are you going to enquire about it?

ADV MPUMLWANA: No I am still going to enquire, thank you.

HEARING ADJOURNS

