

IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION

Case no: 2019/445  
Original case no: 1982/139

In the matter of:

THE REOPENED INQUEST INTO THE DEATH  
OF NEIL HUDSON AGGETT

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SUPPLEMENTARY AFFIDAVIT OF FIROZ CACHALIA

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I, the undersigned

**FIROZ CACHALIA**

hereby state under oath:

1. I am an adult male born on 22 July 1958. I am currently employed as a professor of law at the University of the Witwatersrand.
2. Unless the context indicates otherwise, the facts contained in this affidavit are within my personal knowledge and are, to the best of my belief, both true and correct.
3. The purpose of this affidavit is to supplement my affidavit, dated 14 July 2018, with information on my interactions with Daniel Elhardus Swanepoel while in detention at John Vorster Square ("**JVS**").
4. I have been informed of and read the portion of Swanepoel's testimony at the original inquest into the death of Neil Aggett in 1982 where he indicated that he interrogated me during my detention at John Vorster Square ("**JVS**"). I recall that I was interrogated by Swanepoel during my detention at JVS in December 1981, but this interrogation did not take place at JVS.
5. Swanepoel was not part of my arrest when I was taken to JVS but he did interrogate me during this time. I was driven to Benoni where I was interrogated by Swanepoel

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and then driven back to JVS. I do not recall being assaulted by Swanepoel in this particular interrogation session. I cannot recall exactly when during my detention this interrogation took place and I recall thinking at the time that it was strange that they had driven me to Benoni to be interrogated.

6. The reason for this made sense, however, as the way the Security Branch structured the whole process of interrogation was to rely on local police knowledge and Swanepoel, I believe, was one of the most active security policemen in the Benoni Area. I came from the Benoni area and so he knew me and my brother, Azhar Cachalia, and we knew him, as we had encountered him on a previous occasion, about 6 months prior to my detention with Dr Aggett, when we were both detained. We were both released after about three weeks on this occasion and subsequently banned.
7. This is most likely why I was driven to Benoni to be interrogated by Swanepoel during my detention at JVS - Swanepoel knew about me, my background and my political activities and so they thought he would be more effective at interrogating me.
8. Swanepoel's statement at the 1982 inquest that I requested to finish my statement and cooperate after being out of my cell for 24 hours is a blatant lie. The idea that a detainee who had been interrogated for 24 hours, or for any matter of time, would request a prolonged interrogation is absurd and the fact that Swanepoel made this statement at an Inquest before a magistrate is indicative of exactly what the Security Branch believed they could get away with. As a detainee, one had no power and we were completely under the control and orders of the Security Branch. This statement is an attempt by Swanepoel to paint a certain type of picture - that the detainees were treated well and that there was a fair power balance at play between interrogator and detainee. He was certainly lying when he made this statement.

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Firoz Cachalia  
FIROZ CACHALIA

The Deponent has acknowledged that he knows and understands the contents of this affidavit, which was sworn to and signed before me at Panview on this the 20 day of 11 2020, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

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**COMMISSIONER OF OATHS**

Full names: Mondli John Maseko  
Business address: 71 Dundalk Avenue  
Designation: constable Panview  
Capacity: constable



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[Signature]