

**Dr S R Naidoo (Steve)**

***MBChB (Natal); Dip For Med (SA); MMed Forensic Pathology (Natal); MFFLM***

***SPECIALIST FORENSIC PATHOLOGIST***

***PO Box 95, Desainagar, 4405, Durban, Zulu Natal***

***Tel: +27 32 9431143 (office) / Fax: 086 5306604 / +27 82 9041143 (mobile)***

***BHF Practice Number: 5202000***

***email: [stevenaidoo11@gmail.com](mailto:stevenaidoo11@gmail.com)***

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**24 February 2021**

**SUPPLEMENTARY REPORT**

**Death of Dr HM Haffejee 1977**

1. I completed my initial analysis and report, dated 28 June 2018, into the medical aspects of the death of Dr H M Haffejee. I subsequently reviewed and updated on 23 February 2021 my final report for submission.
2. I thereafter today applied my attention and study to a document received from the National Prosecuting Authority in December 2019. This was related to the above matter and consisted of a statement and affidavit from Mr Mohun Deva Gopal dated 02 April 2019, retired police officer, and one by Ms Matheevathinee Benjamin, a friend of the deceased Dr Haffejee. My attention was given to the documents of Mr Gopal, who was part of the police team in whose custody the deceased Dr Haffejee had died. Except to read for context, I did not evaluate the affidavit of Ms Benjamin.
3. In paragraphs 56 to 63 of his affidavit, Gopal described the sequence of events after the morning arrest of Dr Haffejee and his interrogation at the Brighton Beach Police Station throughout the same day and until the evening. Gopal described the following, amongst others:
  - a. The deceased was stripped of his clothing, and either left in his underpants or completely unclothed during the morning until midday.
  - b. Deceased was “a very thin person”.
  - c. Interrogation “continued for hours”

- d. Deceased had to be helped to dress at midday by Gopal “because he was in such pain, bleeding, crying and visibly upset” and the assault continued for another hour and a half.
  - e. After lunch, the assaults continued,” relentlessly”, “brutal”, thrown repeatedly against a wall, hit and slapped with fists, kicked on ankle and calf muscles, punched, thrown about repeatedly like a rag doll. A “violent and continuous” assault. A “vicious” beating
  - f. Bleeding, shaking, and could not stand, could hardly walk, walked very slowly
  - g. Blood wiped off from the side of his face and side [possibly of body].
4. At paragraphs 52 to 55 the deceased’s initial arrest was described, and there did not appear to be any physical assault perpetrated. In Gopal’s recordings it would appear that he was with the deceased for most of the time in interrogation, except for a period in which Gopal went out for lunch according to the statement.
  5. At paragraph 38, the witness described some of the methods of torture that were known to be used by the particular security police unit in Durban that Gopal himself was part of and which had arrested Dr Haffejee (although these are not said by Gopal to have been used at Dr Haffejee). Gopal described sleep deprivation, assault with rubber batons and truncheons, electric shocks administered to the groin, nipples, back of the head, sides and back of body, restraint with iron shackles on hands and legs, the helicopter method, balancing a ruler on the head during the torture, and mule kicks.
  6. [The “helicopter” was explained at the Truth and Reconciliation Commission to involve “a method of torture in which the victim was cuffed by the ankles and wrists and suspended upside down from a pole between two tables” or as “a stick behind your knees and you were hung upside down”].
  7. In the undated and unsworn statement of 19 paragraphs by Mohun Deva Gopal, repeated details of the assault. Gopal added that the deceased was dragged to the toilet and his head shoved into a toilet pan whereupon he was “battling to breathe” and in pushing back the deceased fell with his head against the wall behind him, and remained “shaking and shivering” on the ground. The witness stated that the deceased

was assaulted on the legs, ankles, private parts, buttock, back, face, neck arms and armpits, and that after lunch was kicked on the buttocks and the momentum pushed Dr Haffejee forward to strike his face against a pillar and collapse on the floor. Gopal noted that the deceased was bruised all over his body but not bleeding, and these marks were noticeable as Dr Haffejee was a light-skinned person. The deceased had bruises and lacerations on the side of his body from kicks and blows. Dr Haffejee when asked to undress had to be assisted by Gopal as the doctor's entire body was sore and he could not bend, and Gopal had to pull the underpants up. The deceased remained conscious and could talk very softly.

8. I wish to add to my primary analysis the following:
  - a. The nature of the assaults as described are very much in keeping with the manifestations of the injuries as noted at the post-mortem examination, notably the number and distribution (locations) of the wounds.
  - b. They are in keeping with my earlier observations of multiple impacts in multiple positions and all whilst still alive and in keeping with the generally concurred age of the injuries at between 8 and 12 hours.
  - c. The witness's description of Dr Haffejee as being "a very thin person" correlates well with my earlier assertion that the deceased was "underweight" and "lean" rather than the post-mortem description as "moderately well-developed".
  - d. The deep scalp bruising could have occurred with any type of infliction of blows, including the fall against the wall at the toilet as well as direct to the scalp.
  - e. The preponderance of a number of injuries in clusters around the elbows and the front of the knees mentioned in my initial report raises the possibility of shackling at these positions, as mentioned by Gopal as a torture practice by the local security police then.

- f. The presence of the injuries behind the knees on both sides raises also the possibility of the helicopter method having been used on the deceased, perhaps at the time when the witness Gopal was not present.
  - g. There are no genital injuries described by Professor Gordon, but it is well known that unless one specifically dissects and looks for bruises at the genitals (scrotum/testes/penis), these may easily be missed.
  - h. The abdominal blunt blow (causing a mesenteric injury) in particular, as well as the chest bruise, may be in keeping with the possibility of a “mule kick” type of blow as was said to be a local practice in torture.
  - i. Gopal’s description of the deceased’s state of exhaustion, pain, and inability to stand or walk well, and soft voice, is in keeping with my initial impression that the injuries would have been physically incapacitating, with noticeable pain and marked distress.
9. As a general overview and conclusion, the witness Mohun Deva Gopal’s descriptions of the assaults on the deceased are fully in keeping with my independent observations of the nature of the injuries, with no areas of discordance. I do not wish to change or alter any part of my original independent analysis.



Dr S R Naidoo

DATED: 24 February 2021