

# Students question UJ’s decision to go ahead with disciplinary hearings

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STUDENTS and activist organisations took the University of Johannesburg (UJ) to task for backtracking on its word as three students faced disciplinary hearings this morning for their actions during the #FeesMustFall protest.

Claire Ceruti, Xhamla Songwevu and Tshoarello Mahloko

are facing charges that include “inciting violence”.

This despite deputy vice-chancellor Professor Tshilidzi Marwala having made a statement, viewable on YouTube in a video dated November 19, that suspensions from the protest would be “unconditionally uplifted”.

“No workers, no students are going to be victimised,” he said through a megaphone at the time.

In the YouTube video, several

students can be heard asking if the suspensions would be unconditionally uplifted. After pausing a moment, Marwala said, “yes”.

But written statements from the university contradict this verbal promise.

In a signed document dated November 18, the university agreed to “temporarily lift” suspensions provided the students signed statements committing to follow the court order and not

participate in any protest that violates university rules.

Originally, six students were suspended.

According to Trevor Ngwane of the Greater Johannesburg United Front, the three still facing charges refused to sign the statements.

He called the letters they were asked to sign “a gun put to their heads” because without signing they cannot enter campus or

write exams.

Spokesman for UJ Herman Esterhuizen confirmed this morning’s hearings but said the university would not be able to make an official statement until later in the day.

“It’s just a hearing,” Esterhuizen cautioned.

He said that the students were not currently suspended, emphasising that it did not necessarily mean that students would be

re-suspended.

Sifat Black, one of the UJ #FeesMustFall movement organisers, said that student sympathisers would definitely show up in support of their peers at the hearings.

An online petition from academics for UJ to have a public and independent investigation into the human rights violations during the protest now has 104 signatures.

## Dad recalls horrific crash

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AFTER months of delay, Simba Mhere’s father finally took the stand yesterday as a witness to his son’s death.

A presenter for *Top Billing*, Mhere, along with his friend Kady Shay O’Brien, died in late January, the victims of a horrific car crash. The driver of the car that caused the accident, 24-year-old Preshalin Naidoo, was charged with two counts of culpable homicide, but the case stalled in court postponements from July until now.

“I looked to my right where my son was seated. He was motionless. I looked back where his friend was seated. She was motionless,” Mhere’s father Joseph sombrely told the court.

He was the first witness called by prosecuting team Matthys De Jager and Dinesh Nandkissor.

Wearing a blue jacket and pausing each time he said the word “son”, Joseph recounted how Naidoo lost control of his white VW Polo and slammed into the driver’s side of Mhere’s Mitsubishi Mirage hatchback.

“I don’t remember how many times the car rolled,” Joseph said, as he gestured with his arms to show the tumbling motion of the car. He recalled the paramedic

“My son and his friend were dead in the car”

who arrived and told him not to move because he had back pain. He said the paramedic then went to the driver’s side of the car to check his son and O’Brien.

“He said to me that there was nothing he could do for them because they were gone,” Joseph said. “Gone as in dead?” De Jager clarified.

“Yes, gone as in dead,” Joseph said solemnly.

Velry Laka, the driver of the third car involved in the accident, took the stand next. She told through an interpreter how, after it hit Mhere’s car, Naidoo’s vehicle had rolled onto the bonnet of her Mazda before settling on its side in front of her car.

She said that when Naidoo got out to apologise, she refused to forgive him and accused him of being drunk. Naidoo denied this accusation, she said, adding that her sons, who were in the back seat, also screamed at Naidoo because it happened to be the one-year anniversary of their having the car.

Though he admitted that the collision with his car caused the deaths of Mhere and O’Brien, Naidoo pleaded not guilty to the charges of culpable homicide.

The trial continues.

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# Roadside service for victims

Families, churches pay tribute to taxi fatalities



**PAYING RESPECT:** Churches and family members of people who died in a taxi accident between Vereeniging and Randfontein on the R28 road pray yesterday at the scene where their loved ones perished.

PICTURES: BOXER NGWENYA

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THEY knelt on the side of the road, praying ferociously, tears running down their faces.

As they prayed, they repeatedly lit matches to light the 19 candles standing upright at the edge of the road.

However, the strong billowing wind kept blowing them out.

This was the scene yesterday morning on the R28 towards Vereeniging where families of 19 people who died in a taxi crash two weeks ago gathered at the place where their loved ones died.

The taxi was carrying members of the Holy Spirit Culture Church who were on their way to a church service in Randfontein when a tyre burst and the driver lost control.

It crashed head-on into a truck and ejected all the passengers.

The taxi then rolled and burst into flames.

There were 24 people in the 16-seater vehicle and 19 died at the scene.

The chairman of the Internal Local Taxi Association, Aaron Tshabalala, said what hurt them the most was that Bishop Rodger Mathebula, who together with his pregnant wife died in the crash, was a customer.

He said Mathebula arrived at the association’s office asking for a taxi that morning to take him and his flock to a church service.

“He said he did not have money but needed a vehicle, saying there was no way he could miss that service and he would pay us later. He was then given a taxi with a driver.”

He said no one really knows what happened.

Speaking at the event, president of the South African



**HOMAGE:** Distraught family members light candles.

National Taxi Council, Phillip Taaibosch, said after news of the accident was reported, he received an SMS from the Minister of Transport Dipuo Peters.

“As the taxi industry, we apologise”

In it Peters said: “It can’t be that our people diminish at the hands of taxi drivers. Would it not be best if the driver is arrested and the owner held liable too?”

Taaibosch said he battled to answer that question because taxi owners do not send drivers out to kill people. He said some taxi drivers were greedy and wanted to make extra money which they then keep for themselves hence they sometimes overload the vehicles.

He said in cases where a

taxi driver was found to have committed a crime during work hours, the taxi owners would fire them. However, another taxi owner would employ that person because the taxi associations did not have the power to kick a person out of the taxi industry.

Taaibosch said he did not have information as to how 24 people ended up in the taxi. He said drivers knew they were not allowed to overload taxis and commuters also knew they were not supposed to get into overloaded taxis.

Addressing the families of the bereaved, Taaibosch said: “What happened that day, we did not have any power to prevent it. We pray that these accidents don’t happen anymore.”

“As the taxi industry we want to ask for an apology on behalf of the taxi driver and we sympathise with you.”

## Trio convicted for brutal murder of police general

**ZELDA VENTER**

SPONTANEOUS applause broke out in the high court in Pretoria yesterday as three men were convicted of murdering a senior Gauteng police officer, Major-General Tirhani Maswanganyi.

Judge Bert Bam found that the statements the general’s three killers made, in which they confessed to their part in his killing, were done voluntarily.

Isaac Vele, 31, Tshupo Mosai, 31, and Simon Msibi, 52, claimed they were tortured by the police into making the confessions. They said the police told them what to write in their lengthy statements after they had been severely assaulted.

The admissibility of the statements formed a large part of the trial, as a trial-within-a trial had to be held to determine whether the confessions were made under duress.

Several police officers involved in the murder investigation testified that the claims of torture were not true.

Judge Bam concluded that the men made the statements of their own free will. He said each statement was lengthy, consisting of several hundred pages. He said it was known that if the police take down statements, they mostly do so cryptically.

These confessions, the judge said, contained a lot of detail regarding the murder. Mosai’s

statement consisted of 18 pages, which were written while he was alone in his cell. He wrote what came to his mind, the judge said. The other two men equally gave details, which a policeman taking down a statement would not necessarily do.

Judge Bam said the three men had a common purpose to kill Maswanganyi and that the murder was planned.

Maswanganyi, a Joburg police cluster commander, was killed in Hammanskraal, north of Pretoria, in June last year. The three forced his car off the road and ordered him at gunpoint to get into another vehicle.

They assaulted and strangled him before dumping his body in

the veld. His Isuzu bakkie was found next to the road, which led the police to search for his body. He was found dead with his hands and feet bound.

While no motive was given for his killing, the State believed it was unhappiness with how he conducted certain investigations.

His daughter, Didintle Maswanganyi, wearing a T-shirt with a picture of her father’s face, said she was relieved it was nearly over, as this had been “a very long road”. “It is unfortunate that my mother could not be here today.”

Shareen Maswanganyi was killed earlier this year in a car accident on her way to the trial. Sentencing is due to commence on Friday.



**TRIBUTE TO DAD:** Didintle Maswanganyi, daughter of the slain top cop.

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