
AFFIDAVIT

I, the undersigned,

THOMAS WILLIAM CASE

do hereby make oath and state that:

1. I am a major unemployed male with no fixed address. My identification number is 590 6035109086. I live on the streets of Walmer, Port Elizabeth.

2. The contents hereof are true and correct and fall within my personal knowledge, unless expressly stated to the contrary, or otherwise appears on the context.

3. I confirm that Adv Hannelie Bakker (“Bakker”) in the presence of Wouter de Swardt conducted an interview with me on Friday 10 May 2019 at 103 Club Chambers, 12 Bird Street, Central, Port Elizabeth. I confirm that the interview was being recorded by Donovan Scott on camera. Subsequent to the interview Bakker drafted this statement in line with the interview and I hereby confirm that the content accords with the interview as filmed.



4. I was born in Port Elizabeth and achieved Standard 7 at school, namely Pearson High School.
5. I knew the person by the name of Mark Minnie ("Mark") very well. I know that he is deceased, because I read about it in the paper. I met Mark many years ago at school, we were all friends. Mark went to North End Grey, but we all grew up more or less in the same area, he was in North End and we were in Richmondhill, those days called Central.
6. After I left school in Standard 7, I didn't see Mark for a good few years, and then one day I saw him at the New Law Courts. He was a detective for SANAB. I don't know what year it was. I was maybe 20 years old at the time.
7. I was at the Law Courts that day for a charge of Possession of Dagga.
8. I knew a person by the name of David Allen ("David") very well when he was still alive. I met him in 1975 or 1976. I met him on the corner of Annerley Terrace and Cuyler Street when he was going to the Maritime Club, which was also on that corner.
9. I was walking past David and his friend, Marius Van Tonder ("Marius"), smoking a dagga zol, when they smelt it and he said "police" and I threw it away to the side. I did not know it that night, but later learnt that he was a police reservist. He was driving an old gold Valiant with a black vinyl top and I saw a sticker on the dash-board saying SA Police and knew they were cops. He was a diver in the police reservists.
10. When I threw the dagga zol away, he made us stand there and Marius watched us while he searched for the zol, which he eventually found there in the street.

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11. When he found it, he told me and my friend to get into the car. He asked where I was staying, and I said I stayed with my parents just around the corner from where we were. My friend said he stayed in Bain Street, just across the road from Russell Road.
12. He first said that he was going to lock us up, but then he took my friend home. Then he took me to the old Red Windmill Roadhouse, close to Humewood Beach where the Courtyard Hotel is now build. Marius, alos a police reservist with David on the diving unit, was also in the car.
13. I didn't know why David was taking me to the Roadhouse, but when we got there, he offered me what I wanted to eat and cold drink. I was a rebel before that time already and I swore at him. I think I was 15/ 16-years old when I met him.
14. I swore at him, because he was supposed to lock me up when you catch me, what did he bring me to the Roadhouse for? He said that he was going to give us a chance and all that. (My friend was already at home.)
15. In the end he bought me a packet of Texan Plain, which I smoked in those years. He was telling me all about the police and then he took me home to Annerley Terrace.
16. I was living with my parents and when he dropped me off that night, he didn't speak to my parents and I thought I would never see him again. However a few days later when I came home from work, he was sitting chatting to my mother. I had just started working at Ancass Printing. I was afraid when I saw him, because I thought he would tell my mother about the dagga which he did. David spoke her out of doing anything and told her that he would look after me and get me off the dagga.

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17. I wanted no part in it, because I liked to go my own way, drugs, smoke, listen to rock music – it has always been that way. He visited with us for quite long that day, 2 or 3 hours. I didn't leave with him that day, but then he came to visit my parents and me every day. I would go to my room and he would come and sit for 20 minutes and return to my parents.
18. He told me that I must stop this rock music, drink and dagga. This went on for maybe two weeks and then he said that he wanted to show me something nice. Teach me something nice so that I don't want to do this drinking and smoking – diving.
19. I thought let me give this a shot and then we went to Marius' parent's place in Wittelsbos. In those days David was diving for coral and we went there for that reason. David and Marius was in a partnership in a business, they would export the coral to China.
20. The house belonged to Marius' parents and they lived there. Two old people. Marius went with us to his parent's house, but nobody else. I never even saw other visitors there.
21. David showed me the ropes of diving, but I didn't get involved, because I was not interested. At some stage the relationship between me and David developed into a sexual one. It was about the second time that we went to Wittelsbos for a weekend to go and dive – we would go Friday and Saturday night and come home on Sunday.
22. He used to let me have drink on those occasions, but no drugs. David wasn't a heavy drinker, maybe 3 or 4 canes a night. David would organise that we share a room with 2 beds. Marius had his own bedroom, because it was his parent's house, but they had 2 extra spare bedrooms. David told

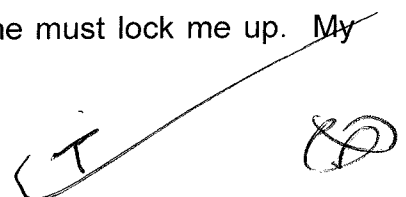
them we had to share because I had a drug problem, that he was helping me and that it was not good that I sleep alone, because I might take drugs.

23. The one night he took out some porn books before we went to the bar down the road. He was looking for his wallet and he said, "oh look what I got". In those days porn was unheard of in South Africa. He got it from the police, because he was in the reservists, but he just showed me the covers with men and women on. I wanted to see, but he said we would look at it when we came back.
24. I forgot about it and we had a good few drinks in the bar, I used to drink my fill and was under the influence. I drank 3 to his 1 drink and he was paying for my drinks.
25. When we got home, we got into our separate beds and he took out the books. I was sleeping in my underpants and wanted him to throw me a book, but he said I had to come and sit with him in his bed. We were both under the covers by then and I said no and made as if I was asleep. He jumped up and came to sit next to me on my bed.
26. In those days the SAP had a lot of power and whatever he told me, I believed. He said that dagga that he caught me with, he had kept and could still arrest me for it then and charge me for it. He was lying to me, but I only found that out years later. I was a bit scared and he said that he knew that I was still smoking and that if he searched my room at my parent's house, he would find dagga (which he would). It came around to it that if I had sex with him, I would never be caught by him or any other policeman, and he would squash it. So obviously I had sex with him that night, because now I had a license to smoke dagga.

27. When I say we had sex, I mean that we masturbated each other. It did not progress to other than masturbation that night. This continued after that night every time we went away, we also went to Jeffreys Bay to some self-catering chalets or bungalows, but I would not be able to find them now.
28. It would be David, Marius and myself as he would hire a fishing boat to dive from Jeffreys Bay. I don't think Marius ever knew what was going on between David and I, but he must have suspected. He never spoke about it. Marius was a very straight person.
29. I had told David that I was new in the game (of sex), but it was not my first time to engage in sexual acts with men. I was going with men for money since I was 13-years old. Eventually and over time the relationship between David and I developed into more.
30. David was always very discreet and it was always just the two of us, it never involved other people that is why I say that to today I doubt that his partner Marius knew. Marius would probably be shocked if he hears this.
31. He never paid me like you would pay a prostitute, but I could have what I want and I had a license to smoke dagga. He said that if another cop would bust me, I had to tell that cop to phone David.
32. David was living with his parents at the corner of 9th Avenue and Main Road, Walmer at that stage. I went there with him once or twice to fetch diving gear, but we never had sex there, because his father was an Admiral in the Navy and he would never have tried anything there.
33. When David moved to his property in Schoenmakerskop, I was no longer with him, it was after me. Our relationship continued for plus minus 2 years on and off, because there were times when I didn't want to go with or diving.

I rather wanted to go with my friends. None of my friends were ever involved in any sexual activities with David and I. My friends were other kinds of friends, they would cut your throat. Neither did David and I ever involve other adults to have sex with us, he was far too jealous.

34. We broke up when David caught me in the park in Western Road on a Friday night with my friends when we were drinking, smoking zol and taking drugs. He came there with Marius and caught us all. He chased them off and I stayed behind. He put me in his car and I was going off at him, swearing and cursing him. I wanted to be with my friends and for him to leave me alone, but he took me to the Elizabeth Donkin Hospital where an old female psychiatrist asked me questions. I was drunk and I swore at her to hell and gone. I wasn't admitted, because I think he only asked her advice. I heard her say that the only place for me was Fort England Hospital, a mental hospital in Grahamstown.
35. He then took me to Provincial Hospital to casualty and I was protesting all the way. A nurse came with a syringe and he said I could go after the injection. She wanted me to drop my pants to inject me, but I told her that they were saying that I am a drug addict and therefore she must inject me in my arm. She still warned that my arm would swell up, but I made her inject me in the arm. After that Davis said that if I wanted to go, I could. I gave two steps and the next thing I woke up in a padded cell in Fort England Hospital.
36. My mother and father came two weekends later and I begged them to sign my release, because they were the only ones who could do so. After my release I told David that if he wants to arrest me he must lock me up. My

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parents didn't know about the relationship between David and I, but my mother knew I was doing this kind of thing, because she had told our family doctor about it. David still came to see my mother a few more times, but I would ignore him and go to my room.

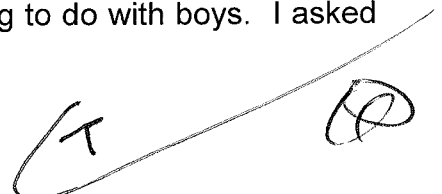
37. After our break-up, maybe a year or a year and a half later, I was still having a suspended sentence hanging over my head, when I was caught again and in those days you went to jail if you had a suspended sentence. My father went to a lawyer who said that I would have to do time. He dragged it out and one day at court I met Trevor Mills of the Drug Squad in the toilet and I then told him that I had information for him. I didn't tell him immediately what information I had for him, but told him that I had a possession of dagga case on a suspended sentence. He told me not to worry about that and he came to Annerley terrace that night.

38. So I gave him information about David Allen and porn, because it was big in South Africa then. Although I had not been to Schoenmakerskop to David's house there, I got that address from another friend and gave that to Mills. I also told him about a few places selling dagga. He got all of them, but he got David first. He got a fine, but 2/3 months after he got busted, as I was walking past Farmer's Market bottle store in Central, David pulled up next to me and said how could I do that to him?

39. He said that he knew it was me, because I was the only one that he had shown that porn to, but I denied it. He took me into the bar for drinks where we got a bit drunk and that was the first time I went to Schoenmakerskop with him. We had sex that night and that was the last night, because

afterwards I would see him occasionally and we would just say hello and chat.

40. David was not involved with my friends, because they didn't do that. Some of them did do it for money, but not with him.
41. When I was with David we used to go to Wittelsbos and Jeffreys Bay, but we never went diving by boat here in Algoa Bay, because there was no coral here. I know where Bird Island is, it is a famous place, but I never went to Bird Island with David. Many years after our "break-up", I heard that David had something to do with the birds there (something to sell or manufacture I heard) and that he was going to have an oyster farm outside the harbour.
42. The only time that I went with David to Schoenmakerskop, it was only the two of us, there was nobody else there.
43. I never met David's friends apart from once at the Edward Hotel, I met John Wiley, but I can be wrong, I am not 100% sure.
44. I had been a registered informant for Trevor Mills for a very long time, and when he left the police, that was when I met Mark again. I met him at the dagga court of Magistrate Mooney and I saw that he had a gun. That is when I knew he was a policeman and I followed him out of court. He admitted that he was a member of SANAB. I told him about being Trevor Mills' informant and I then became his registered informant and I gave him information about drug dealers and sometimes petty things like prostitutes and porn.
45. David was still alive at the time, but he had been out of my life for a very long time at that stage. One day I saw in the paper something about David having been arrested for porn and a charge having to do with boys. I asked

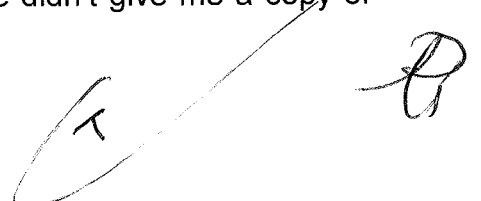
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Mark about his arrested and Mark was very proud that he had arrested David. I said to Mark that David was okay, but Mark said that David played with little boys.

46. According to me, David never played with little boys, only 15 years and up. Mark went on about how he was going to get David. Not long after that David shot himself out there by Schoenmakerskop. I had not spoken to David before his death, it was years before that we had that last night at Schoenmakerskop.
47. When I was involved with David, it was only me and him, he was very, very discreet. He was a famous man and he was very proud to be a lieutenant in the police.
48. After David's death I continued to be Mark's informant until he left the police, after which we lost contact as I travelled through the country, hiking. I didn't go to Gordon Lamastra or to the other SANAB members whom I all knew from being at their offices often.
49. Years later I met Mark again in Walmer next to Spar and he told me that he was writing a book about Bird Island and that I must help him. We didn't speak for long that day as he was with another guy. He came about 4 days later and said he needed my help with the book. I still told him that he was not to put me in the book with this Drug Squad information, because I am still involved with the rokers. He assured me that would never happen.
50. He wanted information about David Allen and Magnus Malan. I knew who Magnus Malan was, the whole country knew who he was. He also named Barend du Plessis and John Wiley. I said that I only know that Davis knew John Wiley, but the other two not. He said that they were involved and that

he had solid information that David knew them. I said to him that I don't know that. I didn't even know who Barend du Plessis was.

51. Mark was living in China at the time and would come every 3 months and see me in Walmer, he would phone and ask me where I was sitting. He would always come with money and ask me questions about things that according to him I must have seen. He had a complete obsession with Magnus Malan. I questioned that the man was dead, but he said that he had to "get" him.
52. He asked me about David and the "boys" and I told him there were no boys, he was too discreet, that I knew of.
53. I know that Mark published a book, because the day before the book came out, he came to Walmer. He wanted me to go to Wittelsbos with him to point out the house where David, Marius and I went to dive from. I said I will point it out if I can find it. I told him that he was wasting his time, because it was Marius van Tonder's mother and father's house. He said it was Barend du Plessis' house, some Cabinet Minister's house. I said you can take me and I will go, but you would have to pay me. He said that he would pay me a grand, but he never told me that the book was coming out tomorrow. He said he would be back and he did return at lunch time with R1 000.00, but said "let's leave that Wittelsbos stuff" and that we could go another day.
54. The next day I saw the headlines "Lost Boys of Bird Island" and I bought the Sunday Times and there it was, the book was out. Sensationalism and the whole country was going mad.
55. I knew I was going to be in the book, but I had told him to not use my name and speak about what I had done for SANAB. He didn't give me a copy of



the book and every day I phoned him to ask for a copy of the book. He always had an excuse. I learnt from my niece from Cape Town that it was in our local newspaper, the Herald that Mark had shot himself. I got the Herald and it was on the front page.

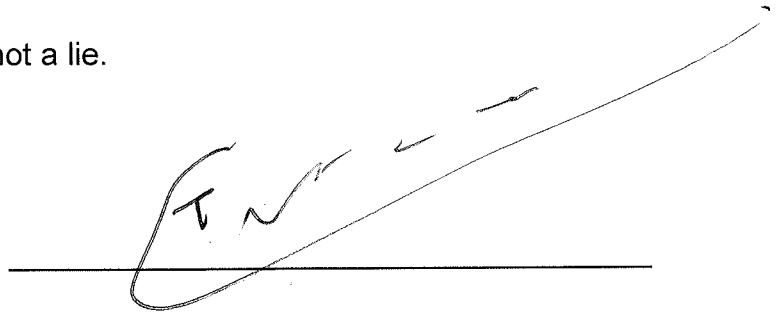
56. When Wouter de Swardt ("Wouter") and Mark van Rensburg, 2 investigators, came to see me regarding Mark's death, Wouter gave me a copy of the book. I had to read it quickly, because he wanted it back.
57. I am William Hart in the book. I was shocked because every word is a lie. I highlighted certain portions in orange and made notes for Wouter in the book, but I couldn't make notes of all the lies, because then you would have to dip the whole book in ink.
58. With regard to the allegation in the book that I went to Bird Island, I never set foot on Bird Island in my life. The only time I ever went in an Airforce Helicopter was when I was in the army. I never went in an Airforce Helicopter to Bird Island.
59. I don't know of any occasion that David went in an Airforce Helicopter to Bird Island. Besides he had his own boat.
60. I never had sex with David on the first night that we met, it is a lie that Mark wrote in the book. I could further never have said on page 124 of the book that David took me to Wittelsbos and other boys to Bird Island, when I knew David did not go to Bird Island.
61. I never spoke to Mark calling him "Sarge", he was my school buddy and I would never call him "Sarge". I never called him that when I was his informant.

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62. I never told Mark that David drove me to a quiet spot on the first night I met him and forced me to perform oral sex on him, I told him that he took me to the Roadhouse as stated here above. And there was no sex for at least 2 weeks. I did not tell Mark that David kept on coming back for sexual favours, Mark is putting words in my mouth.
63. I did not tell Mark that David lost interest in me sexually when I turned 18-years old. I was 16-years old when he put me in a madhouse for taking drugs and that was when I told him to take a hike. I never told Mark that David forced me to find him younger boys.
64. The story about him being undercover in Fort England involved us going to the Grahamstown festival acting like down-and-outs in an old kombi to bust festival goers and afterwards the police in Grahamstown asked him to do a bust at Fort England Hospital. It had nothing to do with me being in Fort England.
65. I did tell Mark that I went with David to Wittelsbos, but he went and changed everything when he wrote the book. I never said the "other uncles had sex with me" at Wittelsbos. There was nobody at Wittelsbos, but Marius' mother and father. If a boy sleeps with a man, he calls him by his name, not uncle because he has no respect for him anyway.
66. Mark showed me photographs on more than 1 occasion when I was working for them, and I probably pointed out Magnus Malan, but I did not put him on Bird Island.
67. He lies when he says that I held back to point out Magnus Malan, because the "whole of South Africa knows his real name".

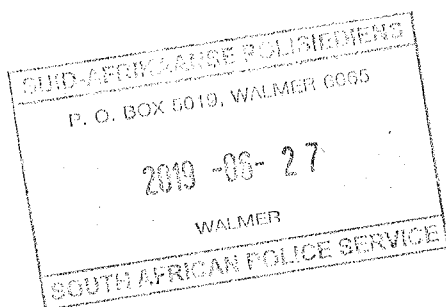
68. On page 136 I never said the kids were taken to Bird Island by boat or helicopter, because when I knew Dave, he didn't have Bird Island and how could I say I know. We were finished for years before he got Bird Island. It is impossible for me to have said that.
69. I never identified Barend du Plessis on any photograph, in fact the first time I ever saw what he looks like, was last month in the Rapport. I didn't even know who Barend du Plessis was.
70. I did see photographs of Wiley in the papers and Mark could have shown me his photo.
71. I did strike a deal with the Sunday Times to give an interview some time ago, I can't recall what year it was. They paid me R980.00. They took photos of me on the rocks by the sea, staring out to sea. Sunday Times were trying to say that David Allen buggered up my life by having sex with me, but I had sex with men long before David. I did the interview for money. I had sold my body for sex at 13-years old, long before I met David. That Sunday Times would also have been lies, but they never published it. Mark said that the government had covered it up, but it was in fact David's sister who has a lot of contacts in the media who squashed it.
72. I never saw any pictures of any other boys that David had allegedly had sex with.
73. David would never have slept with a coloured or a black boy and when I saw a picture of a coloured man who David had allegedly slept with as a boy, I phoned Mark and said that man is taking a chance. I told Mark that he was lying, because I knew David we were almost "married" for 2 years. He wasn't a racist, but he would never have had sex with them.

74. I have never met Mark's co-author of the book, namely Chris Steyn. She communicated through Mark van Rensburg with me, but we never spoke to each other.
75. I do not know who the Mister X is who is featured in Mark's book. The story about him being shot is the biggest bunch of lies. It is impossible to fire off a pellet gun or a .22 in someone's anus without major damage and according to Mark, this was a 9mm gun discharged in a boy's bum. It is further impossible to cover something like that up.
76. I know what I said in the interview and this affidavit is a true reflection of what I said. It is the truth and not a lie.



THOMAS WILLIAM CASE

SIGNED AND SWORN to before me at PORT ELIZABETH on this 27th day of JUNE 2019, after the Deponent acknowledged that he knows and understands the contents of this Affidavit, that it is the truth; that he has no objection to taking the prescribed oath and that he regards the prescribed oath as binding upon his conscience.



COMMISSIONER OF OATHS

CONFIRMATORY AFFIDAVIT

I, the undersigned,

DONOVAN SCOTT

do hereby make oath and state that:

1. I am a major male, residing at 44 Chino Park, Montrose Road, Sherwood, Port Elizabeth. I am self-employed as a camera man and my contact number is 0745064174.

2. The contents hereof are true and correct and fall within my personal knowledge, unless expressly stated to the contrary, or otherwise appears on the context.

3. I have had read the Founding Affidavit of Thomas William Case and I confirm the contents thereof insofar as they relate to me.



DONOVAN SCOTT

SIGNED AND SWORN to before me at PORT ELIZABETH on this 27 day of JUNE 2019, after the Deponent acknowledged that he knows and understands the contents

CONFIRMATORY AFFIDAVIT

I, the undersigned,


HANNELIE BAKKER

do hereby make oath and state that:

1. I am a major female Advocate with identification number 6311090075081 and member of the Eastern Cape Bar Association and hold chambers at 103 Club Chambers, 12 Bird Street, Central Port Elizabeth. My contact number is 0418131775 or 0848211753.

2. The contents hereof are true and correct and fall within my personal knowledge, unless expressly stated to the contrary, or otherwise appears on the context.

3. I have had read the Founding Affidavit of Thomas William Case and I confirm the contents thereof insofar as they relate to me.

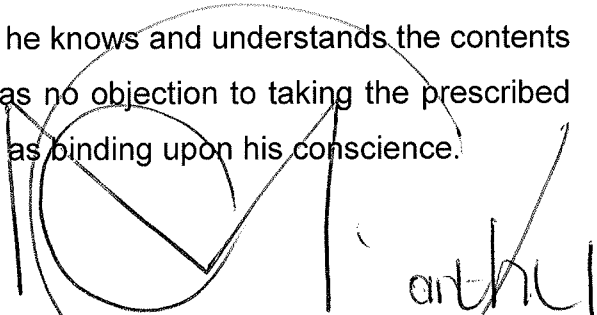


HANNELIE BAKKER

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SIGNED AND SWORN to before me at PORT ELIZABETH on this 09 day of ~~JUNE~~ ^{JULY} 2019, after the Deponent acknowledged that he knows and understands the contents of this Affidavit, that it is the truth; that he has no objection to taking the prescribed oath and that he regards the prescribed oath as binding upon his conscience.

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COMMISSIONER OF OATHS

OFFICE OF THE CHIEF JUSTICE
EASTERN CAPE LOCAL DIVISION, PORT ELIZABETH
2019 -07- 09
CRIMINAL REVIEW SECTION
OFFICE OF THE CHIEF JUSTICE

Charlene Mc Carthy
Commissioner of Oath
2 Bird Street, Central
PORT ELIZABETH
Registrar's Clerk

AB