

THE WITNESSES WHO WEREN'T

DANIKAS

In 1998, when Johan needed to buy a new computer, his friend Willie Olivier told him to try an electronics shop in downtown Durban, run by Aris Danikas, a Greek national. His prices were good and he had plenty of patience with the techno illiterate.

Johan and Danikas became friends over the years.

He was an amusing guy – hyperactive and enthusiastic. We developed a relationship – he was interested in policing. He'd phone me if a computer was brought into his shop that he thought had been stolen and he later signed up to become a police reservist. He had a brother in Athens who was a cop.

A few years later Johan and his then teenage daughter Natalie popped in to see Danikas at his shop – and it was in the throes of being robbed. Unbeknownst to them as they walked into the front of the shop, four armed men were in the process of stealing laptops and had taken Danikas' gun. As Johan and his daughter entered, they were forced into a backroom where Danikas and Zonke, his business partner, were being held. Johan didn't want to try any heroics with Natalie there so he passed his gun to Danikas as the robbers fled. Danikas chased after them and fired a shot, wounding one of the men.

In the weeks ahead, I took flak for having handed over my firearm to a civilian, but I was cleared by a departmental inquiry.

There were a few reservists attached to specialised units. Danikas wanted to be one of these, so Johan pulled some strings and got him seconded to Organised Crime. The Cato Manor guys found him a bit irritating, but occasionally took him out with them on an investigation.

One night in April 2007 Danikas and Johan were having dinner when a call came in from radio control. Cato Manor's Mossie Mostert and Eugene van Tonder had been involved in a shoot-out. They had been tipped off about a robbery in Malvern in Queensburgh. The robbers were going to pounce on the owner of the local Nando's as he got home with the takings. Instead, the two Cato Manor detectives arrived before the robbers, who drove straight into the garage where Mostert and Van Tonder were waiting. One robber was shot dead; another was wounded. A third fled.

By the time Johan got there, Mostert and Van Tonder had called an ambulance for the critically wounded robber. Danikas, said Johan, began behaving like a drama queen and began filming on his cellphone.

He kept shouting: 'Director, director, we must call an ambulance!'

Danikas thought they should resuscitate the bleeding robber. Johan was annoyed.

I wasn't going to do that and risk contracting HIV or hepatitis. Nor was he. The ambulance took 38 minutes to get there. This was a situation the rest of us had been in many times. And many times the tables would have been turned - with an officer lying dead or dying.

After that Johan was less inclined to take Danikas along with him.

He behaved like he was directing an action movie, instead of shutting up and keeping out of the way.

Danikas must have sensed that he was being excluded. The following year, when a fellow reservist told him he was to be promoted to a captain, he reacted badly. What about him? He phoned Johan, who told him it could have been an affirmative action appointment. Next thing Johan knew, it was in the newspaper.

DAILY NEWS

29 AUGUST 2008

RESERVIST MAY RESIGN OVER PROMOTION ROW

Police reservist Aris Danikas, who claims to have recovered stolen property worth R1.5 million, personally arrested 139 suspects, as well as recovered stolen cars and firearms, has had enough. As a reservist, he has the right to be paid for his efforts, but has never taken a cent, doing what he does for the love of his adopted country.

Danikas, who hails from Greece, is a qualified electronic engineer specialising in computers, and has a shop in Durban.

Danikas was quoted in the newspaper report as saying that he had recently recovered a laptop belonging to Malusi Gigaba, then deputy minister of home affairs, and that he often gave presentations to the police on how to detect stolen computer hardware. He believed he was an asset to the force.

The newspaper was sympathetic. 'Yet he has remained at the rank of sergeant,' the journalist wrote. 'He believes that by now, in view of his contribution to crime fighting, he should be a captain. But he has been told by senior officers that he will never be promoted because he is white.'

Johan was annoyed when he read the article.

Apart from the fact that it brought the SAPS into disrepute, Danikas had lied. He wasn't a qualified engineer – he had done an elementary course at Natal Tech. Nor were reservists ever paid – they were community volunteers. And he was hardly an asset to the force – only one person he'd arrested had ever been convicted in court – and he'd given a single lecture to police on how to find owner particulars on stolen computers.

Johan suspended Danikas. He sent someone round to his house to retrieve his state-issued firearm. Danikas resigned. He remonstrated with Johan, telling him he felt degraded and humiliated, particularly as he'd had to give up his gun in front of his fiancée.

A few months later, in November 2008, Johan had a call from Danikas' business partner, Zonke. Something was amiss. Had he seen Danikas?

Johan went round and found a worried Zonke. She said Danikas had

told her he was going to refurbish the shop and she should take a week off. On her return she'd found the shop empty but for empty computer boxes and Danikas' car keys on the counter. His phone was switched off.

Zonke assumed the worst: the stock had been stolen, Aris had been killed and his body was in the boot of his car, dumped somewhere.

Hardly, with the keys on the counter, thought Johan. He found the car in the parking garage. But no sign of Danikas, until a text message a day later: 'Mitso – Had to run like a goat. My father is sick and the situation in the country had become too difficult. You and Commissioner Brown are welcome to visit me in Greece.'

Danikas had gapped it, leaving behind a mountain of debt and a devastated Zonke. She had invested R300 000 in the business and feared she'd never see it again.

In early 2009 Johan had an email from Danikas. Johan reckoned his fiancée Shelley must have written it because the English was more understandable than Danikas'.

In it, he said he was disappointed in me. I had let him down. He had wined and dined me and helped me make important arrests, without which I would never have got to where I was in the police.

Johan thought Danikas had lost it.

This was confirmed when I heard from a mutual friend, an orthopod, who was also Greek, that Aris had wanted him to sign insurance papers, stating that he had health problems and could no longer work and should get a payout. The health problem was 'floaters' in his eyes, which supposedly affected computer work. The orthopod had refused to sign. Other Greek ex-pats told me they called Aris 'anypotaktos' – a draft dodger. He'd come to South Africa to avoid military service in Greece, they said, then tried to compensate by becoming a police reservist.

When creditors began circling, Danikas had hastily married Shelley, a South African, so she could get a Greek passport. It had puzzled Johan when Danikas had told him.

He said that one of his workers, who was a lay preacher and marriage officer, had married them in his flat. It was all very hush-hush. I couldn't understand it because it wasn't like him. A low-key wedding didn't fit the image he portrayed. Once they'd fled the country, it made sense.

A few months later, Danikas sent Johan pictures of his grand Greek wedding to Shelley – bride and groom strolling on the beach – and, in September 2011, pictures of their baby boy. He also wrote to the orthoped, telling him to leave South Africa before it went down the tubes.

Then, out of the blue in 2012, Danikas posted on YouTube a video with the caption: 'police torture of a suspect in durban s.africa'.

In it, several unidentified people stand around a bound and naked man, his head covered. According to Danikas, the man had tried to sell him a laptop, stolen in a car hijacking, so he had phoned Cato Manor, who took the suspect in for questioning. Danikas went along. He said officers had tortured the suspect until he led them to his accomplice – and to the stolen car.

In November 2015 Danikas would tell the *Sunday Times*, in an article promoting an Al Jazeera documentary called 'Echoes of Apartheid' – on extrajudicial killings in post-Apartheid South Africa – that he had shown Johan the video and that he had said: '... that's how we get confessions. We get the job done.'

In an earlier article, which was published on 24 February 2013, Danikas had told the *Sunday Times* he had decided to spill the beans after several attempts to contact him in Europe by 'suspicious people directly or indirectly involved with the Cato Manor case ... in order to protect myself, I have decided to go public as well as approach the local authorities for help'.

The article detailed Danikas' claims about the unit: 'A police reservist formerly embedded in the notorious Cato Manor Organised Crime Unit has become the first insider to publicly break ranks on the alleged "hit squad", spilling the beans – in a series of exclusive interviews with the *Sunday Times* – on the trail of torture and murder he says he witnessed.'

After that article, Danikas told the *Sunday Times* in April 2013 about an incident in 'a Durban township' in 2001. He said he was with more than a dozen policemen who had kicked down the door of a home, dragged a man out of a house and shot him, claiming he had lunged for a gun. But there had been no gun, said Danikas.

'I saw the guy being dragged out in his underwear,' he told the paper. 'Where could you put the gun? Up his arse? And with 12 armed police

officers standing around him? There's no way there was a gun there.'

Soon afterwards, Danikas said, Johan had strolled over to congratulate his men on a job well done, 'as he always did after they shot someone'.

But Johan says he wasn't even there.

Surely the members of the Independent Complaints Directorate who attended would've reported seeing me if I was? Furthermore, Aris never even mentioned this incident in his statement to the NPA – why would he not have included this? I assumed he was mixing up incidents, adding his own version and feeding them to the Sunday Times.

According to Danikas, Cato Manor's 'standard policy' was to wait for a suspect to arrive at a scene then shoot to kill.

'They did not want any prisoners, because the system was corrupted and they would be out on bail,' he explained. He described the unit as 'trigger-happy people that have no respect for human life. They torture, use excessive, brutal force and alter evidence on a crime scene. This I witnessed myself first-hand.'

He told the newspaper that the Cato Manor 'death squad' and its nonchalant commander 'chilled him to the bone'. After the shoot-out in the garage in Malvern, he said, Johan had waited for the wounded robber to 'die like a dog'.

Yet, says Johan again, none of this was in Danikas' statement that the NPA was relying on.

What also puzzled me is that despite saying I chilled him to the bone he kept up regular correspondence with me – and my family. We received holiday photos from Paris and Christmas greetings from Athens.

Danikas was, Johan decided, a melodramatic fantasist.

And too much of a narcissist to come back to South Africa to be humiliated in the witness box and he would have been, because his statement in no way advanced the state's case. It contradicted what he had told the Sunday Times. I later found out that he had dictated it to a South African lawyer over the phone. It wasn't even signed or dated.

Danikas had left South Africa in 2008 – yet the indictment against Cato Manor stemmed from shootings that he hadn't attended, or when he had already left the country.

State advocate and lead prosecutor Sello Maema said as much in a

letter to Danikas' lawyer, Julian Knight: 'The incidents that Danikas refers to in his draft statement started in 2001 to 2007, a period not covered in the indictment [which begins covering the period of 2008 onwards]. Most of those incidents are not referred to in the indictment and do not have dockets which relate to them.'

At best Danikas would be able to corroborate a pattern of behaviour by Cato Manor, but there was no evidence of racketeering. He was, said Maema, a risky witness: 'We are not sure that the witness is telling us everything, the chances of surprises in court are very real ... a very risky consideration to expect him to come to South Africa for the purposes of testifying.'

Yet the NPA's Nomgcobo Jiba seemed to regard him as a trump card, says Johan.

Such was the paucity of witnesses, it seemed, that she even took seriously Colonel Rajen Aiyer.

AIYER

'I found Colonel Aiyer to be a dismal witness ...'

So said Advocate Nazeer Cassim in 2014 after he had conducted Johan's disciplinary hearing. SAPS had charged Johan with misconduct for failing to act against a unit under his direct command.

At the hearing, held in a boardroom in Sandton, Johan was at pains to point out that the unit wasn't under his direct command. It was under the command of Colonel Rajen Aiyer and according to SAPS regulations 'it is the responsibility of the Unit Commander and not the Provincial Commander to institute appropriate disciplinary steps ...'

But Aiyer, an SAPS witness, told Chairman Cassim that Johan controlled and undermined him, rendering him ineffective.

Johan and his lawyer, Van der Merwe, drew the chairman's attention to a newspaper report after a Cato Manor drugs raid in Chatsworth in which Aiyer had taken ownership of the unit. He had been quoted in the *Daily News* on the 10 October 2008 as saying 'We want the public to know that Provincial Commissioner Hamilton Ngidi is determined to rid society of its rotten elements and will not back down. I am very proud of the work my members have been doing.'