

RealTime Transcriptions

TRANSCRIPTION OF THE

COMMISSION OF INQUIRY

MARIKANA

BEFORE TRIBUNAL

THE HONOURABLE MR JUSTICE FARLAM (RETIRED) - CHAIRPERSON
MR TOKOTA SC
MS HEMRAJ SC

HELD ON

DAY 192

26 FEBRUARY 2014

PAGES 23339 TO 23502



© REALTIME TRANSCRIPTIONS

64 10th Avenue, Highlands North, Johannesburg

P O Box 721, Highlands North, 2037

Tel: 011-440-3647 Fax: 011-440-9119 Cell: 083 273-5335

E-mail: realtime@pixie.co.za

Web Address: <http://mysite.mweb.co.za/residents/pak06278>



Page 23339

1 [PROCEEDINGS ON 26 FEBRUARY 2014]
 2 [09:23] CHAIRPERSON: The Commission resumes. I
 3 understand that we were asked to start late this morning
 4 because I understand an agreement was being arrived at.
 5 The terms have been settled in relation to the extra
 6 material we heard about yesterday. Would you like to
 7 address us on that, Mr Semenya, or shall I ask Mr
 8 Chaskalson to do so?
 9 MR CHASKALSON SC: Chair, we have three
 10 new exhibits that will go in now. They go in by agreement.
 11 The correctness of the exhibits is subject to SAPS
 12 verification at a later stage because these are the
 13 exhibits that I have prepared or that the evidence leaders
 14 have prepared on the basis of the AvL records and SAPS
 15 hasn't yet had an opportunity to check all of the aspects
 16 of those, of the exhibits against theirs. Let me correct
 17 that. One of the exhibits is a SAPS document. The Google
 18 map that you will get which plots co-ordinates has been
 19 prepared by the evidence leaders off AvL records found on
 20 the private hard drive of Colonel Scott and SAPS had not
 21 yet had the opportunity to check all of those. There is a
 22 broad correlation between, or there is no inconsistency
 23 between what the SAPS document says and the evidence
 24 leaders' document says but the evidence leaders' document
 25 has additional detail which SAPS wants to check.

Page 23340

1 CHAIRPERSON: Alright. So there are
 2 three exhibits, MMM9 will be what?
 3 MR CHASKALSON SC: MMM9 will be the
 4 electronic Google Earth file of Major-General Naidoo's AvL
 5 records of the 16th of August from – that Google Earth file
 6 runs from 15:52:18 to 16:12:35.
 7 CHAIRPERSON: Yes and MMM10?
 8 MR CHASKALSON SC: Chair, if we can
 9 possibly call it MMM9A, will be a graphical representation
 10 of that electronic –
 11 CHAIRPERSON: A graphic representation of
 12 MMM9.
 13 MR CHASKALSON SC: Indeed. It's the
 14 Google Earth photograph with MMM9 mapped onto it that you
 15 have in front of you.
 16 CHAIRPERSON: I think we'll call MMM9A
 17 graphical representation of MMM9 and MMM9 I shall call
 18 electronic Google earth file of Naidoo's AvL records,
 19 Major-General I suppose, give him his title, his rank
 20 rather, Major-General Naidoo's AvL records of 16/8/2012
 21 from 15:52:18 to 16:12:35. And then the third exhibit will
 22 be MMM10, what is that?
 23 MR CHASKALSON SC: And that is a document
 24 called a movement report which has taken certain additional
 25 details from the AvL records and has plotted them into a

Page 23341

1 table so it marks the co-ordinates, the speed of driving
 2 and whether the ignition was on or off.
 3 CHAIRPERSON: That's how you describe it,
 4 I'll simply call it a movement report re Major-General
 5 Naidoo's vehicle on 16/8/2012 from 15:52:18 to 16:12:35.
 6 Is that accurate?
 7 MR CHASKALSON SC: That would be
 8 accurate, Chairperson, and just to clarify, MMMB is SAPS's
 9 document, MMMA is the evidence leaders' – MMM9B is SAPS's
 10 document and MMM9A is the evidence leaders' document.
 11 CHAIRPERSON: No, you've lost me now. I
 12 thought we had MMM9, MMM9A and MMM10. So is what I call
 13 MMM10, is that MMM9B?
 14 MR CHASKALSON SC: Let's make it MMM9B
 15 because they all flow from the same set of AvL records.
 16 CHAIRPERSON: So MMM9 then is the
 17 electronic Google Earth file.
 18 MR CHASKALSON SC: That's the evidence
 19 leaders' document.
 20 CHAIRPERSON: Well, never mind, yes okay.
 21 And MMM9A is a graphical representation of MMM9, 9, and
 22 MMM9B is this movement report.
 23 MR CHASKALSON SC: Indeed and that's a
 24 SAPS document.
 25 CHAIRPERSON: So the documents, they

Page 23342

1 haven't been handed in yet, have they?
 2 MR CHASKALSON SC: I think they are in
 3 front of you, Chairperson.
 4 CHAIRPERSON: Are these, these –
 5 MR CHASKALSON SC: That would be MMM9A.
 6 CHAIRPERSON: When I said these, I held
 7 up three documents that we received this morning. The
 8 first one is essentially a Google Earth picture of the
 9 area, that's MMM9. And then we've got two other documents
 10 which are stapled together and have already been marked, I
 11 see, in anticipation, MMM9A and MMM9B. Right. You've seen
 12 these documents – sorry, you're still under oath are you,
 13 Major-General? Let me – I'm not asking you, I'm telling
 14 you. You're still under oath, Major-General.
 15 GENERAL NAIDOO: Yes.
 16 GENERAL NAIDOO: s.u.o.
 17 CHAIRPERSON: You've seen these
 18 documents, have you?
 19 GENERAL NAIDOO: Chair, yes.
 20 CHAIRPERSON: Mr Chaskalson – yes, sorry,
 21 you wanted to say something?
 22 GENERAL NAIDOO: I see there's three
 23 exhibits, I only have two. I'm not sure which is the
 24 third.
 25 CHAIRPERSON: Well, my copies of MMM9A

Page 23343

1 and 9B were stapled together. Are yours perhaps the same?

2 MR CHASKALSON SC: Chairperson, I think

3 the confusion may be that the first MMM9A is in fact the

4 electronic file itself. It's not – it's what is printed

5 out in MMM9A.

6 CHAIRPERSON: Well, as long as you're

7 satisfied the witness has got the documents and if you're

8 going to question him about them he knows which are which.

9 MR CHASKALSON SC: Yes, I would only

10 question him with regard to MMM9A but the electronic file

11 should be there as well, just as we did in the case of

12 certain of the JJJ exhibits.

13 CHAIRPERSON: Are you happy, Major-

14 General, that you know what's going on because if you don't

15 know what's going on, none of us will know what's going on.

16 GENERAL NAIDOO: Chair, I have the two

17 exhibits. I think if we have any difficulties I'll

18 communicate.

19 CHAIRPERSON: Just put up your hand.

20 GENERAL NAIDOO: Thank you.

21 CHAIRPERSON: Alright, okay. Mr

22 Chaskalson, would you wish to continue then with your

23 cross-examination?

24 CROSS-EXAMINATION BY MR CHASKALSON SC (CONTD.):

25 Thank you, Chairperson. Major-General, on Monday in the

Page 23344

1 Commission I indicated that two aspects of your evidence

2 about your movements were demonstrably wrong and they were

3 your evidence that you were at C7 on the map of MMM1 when

4 you heard the shooting and your evidence that your convoy

5 first attempted to reach the koppie by turning up to the

6 koppie on the road around the east of the substation at C7.

7 GENERAL NAIDOO: That is correct, Chair.

8 MR CHASKALSON SC: And on Monday night

9 SAPS analysed your vehicle tracking records and have since

10 discussed them with you. Do you accept that these vehicle

11 tracking records confirm that I was correct, that you were

12 not at C7 on MMM1 when you heard the shootings and that

13 your convoy did not attempt to reach the koppie on the road

14 around the east of the substation at C7?

15 GENERAL NAIDOO: Chair, in terms of the

16 AvL it indicated to us where we were as I described, but

17 not as indicated on the maps that we discussed on Monday at

18 C7. And the movement indicated as I said, however, yes,

19 the location was not as discussed on the map that was used

20 on Monday.

21 MR CHASKALSON SC: Major-General, we'll

22 get to discussing the movements in great detail in due

23 course.

24 MR SEMENYA SC: Sorry, maybe we have the

25 benefit of the documents, can we have them on screen so

Page 23345

1 that those who are hearing these answers and questions are

2 able to relate to them?

3 CHAIRPERSON: That's a very good point,

4 Mr Semenya. Are those who are responsible for screening

5 documents in possession of the documents to which Mr

6 Semenya refers so that they can be put on the screen, as

7 they are referred to by counsel or the witness? While

8 we're busy with that, there's another – busy with

9 housekeeping issues – yesterday you gave us a copy in

10 chambers of a medico-legal report by Prof Boffard. Are you

11 going to be referring to that in your cross-examination

12 today?

13 MR CHASKALSON SC: I may, Chairperson,

14 but not for a long time.

15 CHAIRPERSON: No, no, the only reason,

16 the only point I raise with you is, should we mark it as an

17 exhibit now so that it's available to us or do you prefer

18 to mention it and get it marked only at a later stage? I'm

19 asking for directions, as it were.

20 MR CHASKALSON SC: I'm happy to mark it

21 as an exhibit now but it will be reached only at a much

22 later stage because we now have to go back to the vehicle

23 movements in the light of –

24 CHAIRPERSON: Yes, no, I'm just concerned

25 with housekeeping, to get housekeeping out of the way. If

Page 23346

1 you are going to hand it in, in the course of the cross-

2 examination and if it's the next document, the next

3 exhibit, then we can mark it MMM10 now if that's –

4 MR CHASKALSON SC: It may not be the next

5 exhibit but let it be MMM10. We can make the one after

6 that MMM11.

7 CHAIRPERSON: MMM10 is then a document,

8 in fact it's a 40 page document headed "Medico-legal

9 report". It's a report by Prof KD Boffard, B-O-F-F-A-R-D,

10 and that's MMM10.

11 MR CHASKALSON SC: Major-General, we'll –

12 CHAIRPERSON: Sorry, can I just say this?

13 According to the last paragraph on page 2 of the document,

14 Prof Boffard was asked to consider post-mortem reports and

15 to prepare an expert report for the Commission as to any of

16 the 17 victims, that's the 17 victims at scene 1, would

17 have been likely to survive if they'd received emergency

18 treatment 30 to 40 minutes earlier than they did. That's

19 the subject of the report and that's now MMM10. Have you

20 seen that document yet, Major-General?

21 GENERAL NAIDOO: Chair, I received it

22 yesterday.

23 MR CHASKALSON SC: Major-General, we'll

24 discuss your movements as reflected on the AvL records in

25 some detail so you'll get your opportunity to explain the

Page 23347

1 reason for your evidence on Monday or the source of your
 2 confusion but for present purposes you do confirm that you
 3 were not at C7 at MMM1 when you heard the shootings and
 4 your convoy did not attempt to reach the koppie on the road
 5 around the east of the substation at C7.
 6 GENERAL NAIDOO: Chair, based on the map
 7 that was present on Monday, yes.
 8 MR CHASKALSON SC: For the purposes of
 9 this cross-examination it's going to be quite important to
 10 attempt to link the times that we see on the AVL records to
 11 the times that we know as ETV time and for that purpose,
 12 I'd like to start there. If we can go to CCC22 –
 13 COMMISSIONER HEMRAJ: Mr Chaskalson, I'm
 14 not sure that we have this document that's up on the
 15 screen. We may, I'm not –
 16 MR CHASKALSON SC: Commissioner, this is
 17 the electronic file. It's probably zoomed in close. If I
 18 can zoom it out –
 19 CHAIRPERSON: No – no, let me explain to
 20 you the problem. The document that's on the screen has got
 21 a series of figures on it. The first row of figures says
 22 , 16:08:05. Now our document hasn't got those
 23 figures on it, it's got other figures.
 24 MR CHASKALSON SC: No, this is the wrong
 25 document.

Page 23348

1 CHAIRPERSON: So MMM9A has got the top
 2 line, 16:12:35 ignition off and then below that it's got
 3 to 16:11:05 idling.
 4 MR CHASKALSON SC: Thank you very much,
 5 Commissioner, you're absolutely correct. Let me just copy
 6 the correct one. And if we can –
 7 CHAIRPERSON: Let's be clear, what
 8 exactly are we looking at now?
 9 MR CHASKALSON SC: This is CC22, the
 10 Protea Coin chopper, if we can stop that at four seconds
 11 into the video, four seconds.
 12 CHAIRPERSON: - what time is this ETV
 13 time that we're looking at?
 14 MR CHASKALSON SC: Four seconds into the
 15 video would be 15:57:34.
 16 CHAIRPERSON: That is after the shooting
 17 at scene 1.
 18 MR CHASKALSON SC: That's correct.
 19 CHAIRPERSON: Thank you.
 20 MR CHASKALSON SC: Sorry, Chairperson,
 21 did I say 15:37 or 15:57? The correct time is 15:57:34.
 22 If I didn't say that, that's what I should have said.
 23 CHAIRPERSON: It's 15:57?
 24 MR CHASKALSON SC: 34, indeed yes.
 25 CHAIRPERSON: 34, right.

Page 23349

1 MR CHASKALSON SC: Yes.
 2 CHAIRPERSON: And this is exhibit CC22,
 3 is it? Four seconds into the video.
 4 MR CHASKALSON SC: That's correct. If we
 5 can see it? Now for this purpose we're going to have to
 6 add four seconds exactly. If we can zoom in to the area
 7 that I'm pointing out now which is the area behind the
 8 power station on the road. Can we zoom into the area that
 9 I'm marking now?
 10 CHAIRPERSON: The area you're marking now
 11 being the area behind the power station on the extreme
 12 right of the picture, is that correct?
 13 MR CHASKALSON SC: That's correct,
 14 Chairperson. We'll need to zoom in a bit further, quite
 15 substantially, and is there any way of getting better
 16 resolution than this? I think the way – I'm sorry to waste
 17 Commission time like this but let me just, I have a
 18 screenshot, let me take the screenshot up which will be
 19 easier.
 20 [09:43] CHAIRPERSON: Is the screen – what we see
 21 at the moment on the screen is affected by what I've been
 22 told is called pixellation, which means it's very difficult
 23 to make out anything. Is the screenshot not pixellated?
 24 MR CHASKALSON SC: Can we zoom completely
 25 out on that picture so that we can – that should be good

Page 23350

1 enough for our purpose.
 2 CHAIRPERSON: I'm sorry to interrupt you.
 3 Is this now another exhibit or – you know, for those who,
 4 as I've mentioned before, are going to read this record in
 5 years to come, will they be able to follow this? The
 6 exhibit itself that you referred to was, as a result of
 7 pixellation, not very clear. Now is this another exhibit
 8 or is this something that's not yet an exhibit, that must
 9 be made an exhibit? What's going on?
 10 MR CHASKALSON SC: Chairperson –
 11 CHAIRPERSON: I've got to think of the
 12 historians of the future, amongst other things.
 13 MR CHASKALSON SC: It depends whether
 14 they have pixellation difficulties or not, Chairperson. If
 15 their computers have high enough resolution then this is
 16 what they would see at four seconds into the exhibit CC22.
 17 If you would like it to stand as a separate exhibit, we can
 18 circulate the document and – it seems to me what you see is
 19 what you would see at four seconds.
 20 CHAIRPERSON: I see. So it's just a
 21 question of the –
 22 MR CHASKALSON SC: The convenience of the
 23 Commission.
 24 CHAIRPERSON: Yes, I understand. And the
 25 pixellation is caused by the – if that's the right word –

Page 23351

1 by the computer that we're using and one presumes people in
 2 the future will have better computers than we have.
 3 MR CHASKALSON SC: We would hope so,
 4 Chairperson.
 5 CHAIRPERSON: Alright.
 6 MR CHASKALSON SC: Major-General, what we
 7 are looking at in this screenshot at four seconds is your
 8 convoy approaching the substation, the turnoff to the
 9 substation. Do you recognise that?
 10 GENERAL NAIDOO: It would appear, yes.
 11 MR CHASKALSON SC: Now for our purposes,
 12 if you go back to MMM9A which unfortunately – well, what we
 13 see at MMM9A is that your AvL recorded a time at the
 14 intersection of 15:57:25. Do you see that?
 15 GENERAL NAIDOO: That's correct.
 16 MR CHASKALSON SC: Now, we have attempted
 17 to log the distance or estimate how long it would've taken
 18 your convoy to reach – not your convoy, your vehicle. Was
 19 your vehicle at the head of the convoy?
 20 GENERAL NAIDOO: It was the first
 21 vehicle.
 22 MR CHASKALSON SC: We've estimated how
 23 long it would take that vehicle at the head of the convoy
 24 to reach that turnoff and using Google Earth it –
 25 CHAIRPERSON: You say how long it would

Page 23352

1 take to reach the turnoff but you don't say from where.
 2 MR CHASKALSON SC: From the point at
 3 which we see at four seconds into the Protea Coin chopper,
 4 the Protea Coin video at 15:57:34 ETV time. And it's
 5 approximately 65 metres, at an average speed of 20
 6 kilometres an hour that would give you 11 seconds. We're
 7 probably going to be out a couple of seconds either way but
 8 would you accept that for your vehicle at the head of the
 9 convoy to reach this intersection would be more or less 11
 10 seconds?
 11 GENERAL NAIDOO: Chair, I think I missed
 12 the point here, I was studying the notes. Could that be
 13 presented again, please sir?
 14 CHAIRPERSON: What counsel says is what
 15 we have on the screen at the moment is the video taken from
 16 the Protea Coin helicopter.
 17 GENERAL NAIDOO: Yes, Chair.
 18 CHAIRPERSON: And it shows your vehicle,
 19 which is the head vehicle of the convoy, the leading
 20 vehicle of the convoy, a short distance away from that
 21 turnoff at the power station which is just ahead of it.
 22 GENERAL NAIDOO: Yes.
 23 CHAIRPERSON: And they've used the AvL
 24 information which indicates that you got to that turnoff at
 25 15:57:25.

Page 23353

1 GENERAL NAIDOO: That's correct.
 2 CHAIRPERSON: And they have calculated it
 3 would have taken you about 11 seconds to get from the spot
 4 that we see on the screen at the moment, which is the
 5 Protea Coin helicopter – actually it's a photograph taken
 6 from the Protea Coin helicopter and to get from that spot
 7 which you see on the screen at the moment to the turnoff.
 8 That's the point. Is that right, Mr Chaskalson?
 9 MR CHASKALSON SC: That is. I'm not
 10 suggesting it's a precise calibration but for your convoy
 11 to travel approximately 65 metres, would 11 seconds be a
 12 fair estimate, a rough estimate?
 13 GENERAL NAIDOO: A rough estimate
 14 possibly.
 15 MR CHASKALSON SC: If we use 11 seconds
 16 and it's a convenient number as well because it rounds up
 17 to 11 seconds after 15:57:34, which is the image which we
 18 see at four seconds into the exhibit CC22 that's on the
 19 screen now. That would be ETV time 15:37:45. So your
 20 convoy on that projection would've reached the turnoff at
 21 15:57:45. 15:57 -
 22 CHAIRPERSON: Yes.
 23 MR CHASKALSON SC: 45.
 24 CHAIRPERSON: You said –
 25 MR CHASKALSON SC: Did I say 30?

Page 23354

1 CHAIRPERSON: A minute ago, but let's be
 2 clear, it's 15:57 and something or other.
 3 MR CHASKALSON SC: 45.
 4 CHAIRPERSON: 45.
 5 MR CHASKALSON SC: 15:57:34 plus 11
 6 seconds is 15:57:45.
 7 GENERAL NAIDOO: Chair, I think there's
 8 an indication of that time on the map, yes.
 9 MR CHASKALSON SC: The time on the map,
 10 this is the purpose of this exercise, the time on the map
 11 is actually 15:57:25. We're trying to work out how the one
 12 clock compares to the other clock in rough terms. This is
 13 not the precise exercise that we performed with the
 14 photographs but it's in rough terms because we're going to
 15 need to be able to understand what these times broadly mean
 16 in terms of what we know about what else was going on in
 17 the operation. So we, on that basis, have determined an
 18 approximate – and I emphasise, it's not precise as it is in
 19 the case of our time calibrations but an approximate
 20 difference of 20 seconds between the AvL clock which has
 21 you reaching the turnoff at 15:57:25 and the ETV clock on
 22 the calibration that we have done, which would have you
 23 reaching the turnoff at approximately 15:57:45. So times
 24 are approximately 20 seconds apart.
 25 CHAIRPERSON: Are you prepared to accept

Page 23355

1 that provisionally, subject to the fact that the SAPS team
 2 presumably will be checking it and if they come, they
 3 discover that there's an error somewhere they will report
 4 it to us.
 5 GENERAL NAIDOO: Of course, Chair.
 6 CHAIRPERSON: But for the sake of
 7 progress you'll accept it provisionally, is that correct?
 8 GENERAL NAIDOO: That's right, I do.
 9 MR CHASKALSON SC: And I would like to do
 10 the same exercise in relation to the cell phone records so
 11 we can try and work out where you were when certain calls
 12 were made and the one that seems easiest to pin down is the
 13 12 second call to Brigadier Calitz's voicemail that you say
 14 you made when you heard the shooting. That 12 second
 15 voicemail call, on the Vodacom clock now, started at
 16 15:53:31 according to MMM5, 15:53:31. How, I mean would it
 17 be fair to estimate that that was a call that you would've
 18 made 10 seconds after the shootings broke out?
 19 GENERAL NAIDOO: As I indicated, yes,
 20 when we heard the shooting. Seconds, ja, it could be 10,
 21 could be 11, yes.
 22 MR CHASKALSON SC: The volley lasted
 23 approximately eight seconds. Would you have called in the
 24 middle of the shooting, after the shooting? We've just
 25 picked 10 as it seemed a reasonable estimate. This is a

Page 23356

1 rough exercise, it's not a precise exercise.
 2 GENERAL NAIDOO: Of course.
 3 MR CHASKALSON SC: Would you be happy
 4 with 10 on that basis, not saying it's exact but a rough
 5 estimate of what –
 6 GENERAL NAIDOO: Call it a rough
 7 estimate, Chair.
 8 CHAIRPERSON: How long does it take, I've
 9 never timed it, how long would it have taken you to have –
 10 in the old days we would've said dial, I don't know what
 11 the modern verb is – in the old days, how long would it
 12 have taken you to tap into your phone Calitz's number?
 13 GENERAL NAIDOO: Chair, I think there's
 14 two factors. It's a matter of record I did try to call him
 15 a little earlier so his number would've been on the redial
 16 list, so it would not be a matter of looking for his number
 17 and dialling it. It would be a matter of just pressing
 18 redial.
 19 CHAIRPERSON: Oh, so it's just one press.
 20 GENERAL NAIDOO: Redial.
 21 CHAIRPERSON: One click, let's call it.
 22 GENERAL NAIDOO: That's correct, Chair.
 23 CHAIRPERSON: One, okay. So it sounds as
 24 if 10 seconds then may be fairish. I thought if you took a
 25 bit of time to dial the number in, in the old language, 10

Page 23357

1 might be too short but you're happy with 10 is fair?
 2 GENERAL NAIDOO: Chair, as I indicated,
 3 all I had to do was just to press the redial.
 4 CHAIRPERSON: You pressed the redial and
 5 you got through to Calitz immediately, I take it.
 6 GENERAL NAIDOO: As I –
 7 CHAIRPERSON: At the speed of light or
 8 whatever speed these things go at.
 9 GENERAL NAIDOO: To his voicemail.
 10 CHAIRPERSON: Yes, that's right.
 11 MR CHASKALSON SC: Again I want to
 12 emphasise this is not a precision exercise, it's a rough
 13 estimate exercise. There will be a margin of seconds
 14 either way, but if we take 10 seconds then 10 seconds after
 15 the shooting would be 15:54 exactly ETV time, 15:54:00 and
 16 then we would have an equation that 15:53:31 Vodacom time
 17 is roughly 15:54 ETV time. So there's roughly 29 seconds
 18 between them and because we're dealing with rough
 19 estimates, let's round it to 30. Are you happy with that
 20 on the basis that we are engaged in a rough exercise, not a
 21 precise exercise?
 22 GENERAL NAIDOO: Sorry, Chair, could I
 23 have the times, the last times again?
 24 MR CHASKALSON SC: It's 15 –
 25 CHAIRPERSON: What he says is Vodacom

Page 23358

1 sounds as if they are 30 seconds, 29 seconds he says but
 2 let's take 30 because it's a nice round number, are they 30
 3 seconds behind ETV or ahead of ETV? Behind, I think you
 4 said.
 5 MR CHASKALSON SC: Behind. 15:53:31
 6 versus 15:54:00, 01 if we're going to round 30.
 7 CHAIRPERSON: Provisionally you'll accept
 8 that one as well subject to the fact that –
 9 GENERAL NAIDOO: Of course.
 10 CHAIRPERSON: - if the SAPS people find a
 11 flaw and tell us, then your acceptance will be withdrawn –
 12 GENERAL NAIDOO: Just as a rough
 13 estimate.
 14 CHAIRPERSON: Alright.
 15 MR CHASKALSON SC: Now, and then to
 16 complete the circle because we're also going to be
 17 comparing Vodacom times with CTrack times, if Vodacom is
 18 ETV minus 30 seconds and CTV is roughly ETV minus 20
 19 seconds, then Vodacom is roughly – sorry, CTV, CTrack –
 20 Vodacom is roughly CTrack minus 10 seconds. There's
 21 roughly 10 seconds between Vodacom and CTrack.
 22 CHAIRPERSON: Forgive my ignorance, Mr
 23 Chaskalson, but what exactly is CTrack?
 24 MR CHASKALSON SC: CTrack is the AvL time
 25 -

Page 23359

1 CHAIRPERSON: Oh, the AvL time.
 2 MR CHASKALSON SC: - are the agency that
 3 does the vehicle tracking.
 4 CHAIRPERSON: I understand. I don't
 5 think that was on record before.
 6 MR CHASKALSON SC: I'm sorry. So we then
 7 have, for rough conversions, Vodacom to ETV 30 seconds,
 8 CTrack to ETV or AvL to ETV 20 seconds and Vodacom to
 9 CTrack 10 seconds. The times are all within 30 seconds of
 10 one another. At this point if we can then go to MMM9A and
 11 the AvL records and start looking at the times that certain
 12 things happened.
 13 CHAIRPERSON: What we now have on the
 14 screen is in fact MMM9A.
 15 MR CHASKALSON SC: That is correct,
 16 Chairperson, and we're going to concern ourselves with the
 17 right-hand side of this picture for the time being, so if
 18 we could just zoom in a little bit towards the right-hand
 19 side. The first marker that I want to identify is the
 20 marker to the time 15:52:18 ignition on. What this
 21 reflects is that CTrack time 15:52:18 your vehicle turned
 22 on its ignition. Its ignition was off prior to that, do
 23 you accept that?
 24 GENERAL NAIDOO: Correct.
 25 MR CHASKALSON SC: And maybe for

Page 23360

1 completeness we should add from MMM9B when the ignition had
 2 previously had been switched off and that we see at the,
 3 five rows from the bottom of MMM9B it was at 15:59:52,
 4 15:59:52 says ignition off.
 5 GENERAL NAIDOO: Chair –
 6 CHAIRPERSON: 49.
 7 MR CHASKALSON SC: 49, I keep on getting
 8 these numbers wrong. The record is going to be very
 9 difficult to follow.
 10 CHAIRPERSON: It's 15:49:52.
 11 MR CHASKALSON SC: 49:52.
 12 CHAIRPERSON: Yes, 15:49:52 which is
 13 ignition off.
 14 MR CHASKALSON SC: And ignition was on at
 15 15:52:18.
 16 CHAIRPERSON: That's what is described on
 17 MMM9B as start up?
 18 MR CHASKALSON SC: That's correct,
 19 Chairperson. Now if we convert those CTrack times into
 20 Vodacom times, we have to take 10 seconds off them. So you
 21 switched off your ignition, were you at the front of the
 22 convoy at that stage at forward holding area 1?
 23 GENERAL NAIDOO: Chair, yes. Not forward
 24 holding area 1, at that stage, we indicated we had deployed
 25 into what we indicated as immediate response area.

Page 23361

1 MR CHASKALSON SC: No, Major-General,
 2 this wasn't immediate response area. If we can zoom out
 3 maybe I can reorient you. The intersection that is forward
 4 holding area 1, the intersection at forward holding area 1
 5 is at the far right-hand side of this photograph.
 6 GENERAL NAIDOO: Yes.
 7 MR CHASKALSON SC: Your vehicle is at the
 8 front of a convoy that stretches back almost to that
 9 intersection.
 10 GENERAL NAIDOO: That is correct.
 11 MR CHASKALSON SC: So at 15:49:52 you had
 12 switched off your ignition at the front of a convoy that
 13 stretched back to the intersection at forward holding area
 14 1.
 15 GENERAL NAIDOO: Chair, as I indicated,
 16 at that stage - I testified to that fact as well – that we
 17 parked at the area that we identified as the immediate
 18 response but it's something that we will deal with further
 19 in the testimony.
 20 MR CHASKALSON SC: Sorry, Major-General.
 21 I really don't want to – I think you are slightly confused
 22 here because I know in fact the area that you thought was
 23 immediate response area 1 is what I'm marking now, which is
 24 the second green marker from the left. It's not the front
 25 of the convoy. Sorry, from the right. It's not the front

Page 23362

1 of the convoy which is the original starting point, the
 2 first green marker from the right. If I can just orient
 3 you, there are two substations, a little substation and a
 4 large substation. The little substation is opposite, is
 5 what I'm circling now which is just to the right-hand side
 6 of the road or to the top side of the road as you look at
 7 the picture –
 8 CHAIRPERSON: Above the word "idling" on
 9 the picture.
 10 MR CHASKALSON SC: Above the word
 11 "idling" on the picture, near where your, the second green
 12 marker is. The large substation is towards the left-hand
 13 side of the photograph. It's accessed by the road,
 14 accessed from the road by the turnoff at the last green
 15 marker on the road.
 16 [10:03] CHAIRPERSON: And it's above the figures
 17 15:57:45. The figures 15:15:45 are at the lower end of the
 18 power station, as we see on the picture. If you go down to
 19 the road, you have 15:57:25, but for purposes of indicating
 20 where the bigger power station is, either of those figures
 21 will suffice.
 22 MR CHASKALSON SC: And Major General,
 23 while we are on orientation on the map, I am just
 24 indicating where koppie 3 is, that's above the green marker
 25 that says 16 12 35 ignition off. Koppie 1 is to the right

Page 23363

1 at the end of the wording 16:12:35 ignition off, and a
 2 little bit below. Koppie 2 is just above koppie 1, and the
 3 kraal is diagonally up to the right from koppies 1 and 2.
 4 There are three kraals that are visible on the picture.
 5 It's the small kraal at which scene 1 took place. So if we
 6 can then go back. Your convoy had lined up stretching back
 7 towards forward holding area 1. You were at the front of
 8 the green marker here. The first green marker –
 9 CHAIRPERSON: The green marker on the
 10 right-hand side.
 11 MR CHASKALSON SC: On the right-hand
 12 side. You switched off your ignition in that position at
 13 15:59:52 CTrack time and switched it on again at 15:52:18.
 14 GENERAL NAIDOO: Chair, I think that
 15 time, 15:59 CTrack time, you say it is 30 seconds or 10
 16 seconds behind.
 17 MR CHASKALSON SC: No, it's 15:49:52,
 18 15:49:52 –
 19 GENERAL NAIDOO: Yes, because –
 20 MR CHASKALSON SC: - to 15:52:08, it's
 21 about two minutes and 10 seconds.
 22 GENERAL NAIDOO: Chair, ja. Now what I
 23 was correcting is he indicated as 15:59, it's actually
 24 25:49.
 25 MR CHASKALSON SC: I will do my best not

Page 23364

1 to continue along this line, but this is a very important
 2 issue that we have to clarify. So you switch off at
 3 15:49:52, you switch on at 15:52:18, two minutes and 20
 4 seconds your vehicle is switched off.
 5 GENERAL NAIDOO: Okay, I accept that.
 6 MR CHASKALSON SC: And if we are to shift
 7 those CTrack times to Vodacom times, you switch off at
 8 15:49:42, you switch on at 15:52:08. At 15:49:42 you
 9 switch off, 15:52:08 you switch on. If we can now go back
 10 to MMM5, and if I can just ask, Major General, I think you
 11 should just write down those two Vodacom times, because
 12 they are going to become important now. Switch off the
 13 vehicle at 15:49:42, switch it on at 15:52:08.
 14 CHAIRPERSON: CTrack translated to
 15 Vodacom?
 16 MR CHASKALSON SC: That's correct,
 17 Chairperson, our approximate Vodacom times. Sorry, I need
 18 the cell phone records. Are they MMM4 or MMM?
 19 CHAIRPERSON: - were MMM4.
 20 MR CHASKALSON SC: And if we can go to
 21 your call to Brigadier Calitz, at 15:49:54.
 22 CHAIRPERSON: That's the one that lasted
 23 nearly two minutes. That's the 119 second call that you
 24 say didn't involve any communication with Brigadier Calitz,
 25 do you recall that?

Page 23365

1 GENERAL NAIDOO: That's correct, ja.
 2 MR CHASKALSON SC: But what strikes us as
 3 curious in that regard, is from the Vodacom records we know
 4 that the call was answered on Brigadier Calitz's cell phone
 5 and we know that the call was ultimately terminated almost
 6 two minutes later, one second less than two minutes later.
 7 And if we look at when it was answered, 12 seconds before
 8 the call was answered by Brigadier Calitz's cell phone you
 9 had switched your car off. It was answered at 15:49:54,
 10 you switched your car off at 15:49:42, and 15 seconds after
 11 the call ended you switched your car on. The call ends at
 12 15:51:53, and you switch your car on at Vodacom time
 13 15:52:08, 15 seconds after the call ends, and then, if we
 14 go back to the CTrack information your convoy starts
 15 moving. So if we go back to MMM9A, we will see that your
 16 car is switched on at 15:52:13, that's 15 seconds after the
 17 call to Brigadier Calitz ends and 40 seconds later, it's
 18 reached - 42 seconds later it's reached the turnoff to the
 19 small substation.
 20 So 12 seconds before the call is answered on
 21 Brigadier Calitz's cell phone, the ignition on your car is
 22 switched off. 15 seconds after the call ends the ignition
 23 is switched back on, on your car, and your convoy starts
 24 moving almost immediately, in fact probably did start
 25 moving practically immediately because it reaches the

Page 23366

1 substation in 42 seconds. Now I'll ask you for your
 2 response to that in due course, but the funny thing is if
 3 we look at Brigadier Calitz's Nyala, we see a very similar
 4 picture. Despite the fact that according to Brigadier
 5 Calitz incident 1 and incident 2 are happening and he's
 6 witnessing it all, his Nyala doesn't move from its starting
 7 position until some time after JJJ11 1515 if we can call up
 8 JJJ11 1515. This is a photograph of what SAPS described as
 9 incident 2 on exhibit L. This is Brigadier Calitz's, and I
 10 am circling now the lone Nyala that remains in the position
 11 of the original negotiation team behind the chain of barbed
 12 wire. That lone Nyala is Brigadier Calitz. Now, the time
 13 of this photograph in ETV time is 15:51:47. That
 14 translates to a Vodacom time of 15:51:17, that's while the
 15 call from you to Brigadier Calitz is in progress. We don't
 16 know when exactly Brigadier Calitz started moving, but if
 17 we go to JJJ178.2 and we go down to page 20 we see that by
 18 ETV time 15:52:29 which would be Vodacom time 15:51:59, if
 19 you want to write that down, 15:51:59, Brigadier Calitz's
 20 vehicle has started moving. His vehicle is vehicle 6, if I
 21 recall correctly. It's vehicle 6 which is identified as
 22 Papa1 later on in this diagram, later on in this annexure.
 23 So by 15:52:29 ETV time, 15:51:59 Vodacom time, the FLIR
 24 camera has picked up Brigadier Calitz's Nyala moving at
 25 speed towards the kraal. Let's just recap in relation to

Page 23367

1 Brigadier Calitz, the call runs from Vodacom time 15:49:54
 2 where Brigadier Calitz is stationary in his starting
 3 position, to 15:51:53 which is six seconds before the point
 4 that we see now where the FLIR camera catches Brigadier
 5 Calitz moving at speed towards the kraal. Now do you still
 6 maintain that you had no conversation with Brigadier Calitz
 7 in that two minute call?
 8 GENERAL NAIDOO: Chair, yes, I testified
 9 to that effect.
 10 MR CHASKALSON SC: Do you think it's just
 11 an extraordinary coincidence that your vehicle switched its
 12 ignition off 12 seconds before the call was answered and
 13 switched the ignition back on 15 seconds after the call was
 14 terminated?
 15 GENERAL NAIDOO: Chair, I have testified
 16 to the effect that the vehicles, after they lined up we
 17 switched the vehicles off, I even climbed out of the
 18 vehicle and shortly after that I climbed in after the –
 19 after I heard the incident taking place. I cannot say at
 20 that stage when did my driver switch the vehicle on or off,
 21 because I was not driving. He could have had the vehicle
 22 idling whilst he was stationary and switched it off for
 23 another time. I can't testify to that myself.
 24 MR CHASKALSON SC: The AvL records
 25 testify to that.

Page 23368

1 MR SEMENYA SC: Chair, I know we have
 2 been describing this vehicle as Major General Naidoo's
 3 vehicle and Brigadier Calitz's vehicle, but the record must
 4 reflect both these individuals were not themselves in the
 5 vehicles.
 6 CHAIRPERSON: Both the drivers, that's
 7 correct. Mr Chaskalson, it occurs to me, I don't know how
 8 much time we are going to spend on this, I take it you are
 9 doing it because it's going to, you are of the view that it
 10 will lead us somewhere, to help us but if the movement of –
 11 well, I will loosely call Brigadier Calitz's vehicle is
 12 relevant, then the AvL records if they are available of his
 13 vehicle, may also help us. To avoid speculating and
 14 inferring and so on.
 15 MR CHASKALSON SC: Unfortunately - it's
 16 an issue which we were going to raise later. Unfortunately
 17 it appears that there weren't any AvL records of Brigadier
 18 Calitz's vehicle. We asked for AvL records of all of the
 19 armoured vehicles involved in the operation, and what we
 20 received from SAPS was less than half the vehicles, half
 21 the armoured vehicles and we were told that these were the
 22 only ones that were kitted with AvL records. Maybe that's
 23 an issue I can actually fruitfully raise with the Major
 24 General because Brigadier Calitz's vehicle is an armoured
 25 vehicle from the North West Province. Major General, can

Page 23369

1 you explain why it wasn't equipped with AvL records in this
 2 operation, AvL equipment in this operation?
 3 GENERAL NAIDOO: Chair, I can't
 4 specifically unless I get the particulars of the vehicle.
 5 The thrust of the whole issue of the AvL is that we are
 6 trying as much as possible to ensure every police vehicle
 7 is fitted with an AvL. There are certain factors that
 8 affect that, one of them being sometimes the age of the
 9 vehicle, if it's nearing its boarding or taking out of
 10 service, commissioning out of service. Obviously we do not
 11 invest that, but we can establish with the specific vehicle
 12 or specific vehicle if they do have, and if not why don't
 13 they have.
 14 CHAIRPERSON: That's an issue we
 15 obviously don't have to spend time on now. I just assumed
 16 that it would have an AvL equipment. If it's suggested it
 17 didn't then, well then we needn't waste time on the point
 18 further. As you say investigations can be done outside
 19 this chamber and communicated to the evidence leaders and
 20 if anything turns on it, it can come back into the chamber
 21 otherwise we will leave it where it is, outside the
 22 chamber, outside our knowledge at the moment.
 23 GENERAL NAIDOO: Okay, thank you, Chair.
 24 MR CHASKALSON SC: Before we leave this
 25 point, because it was a source of some consternation for

Page 23370

1 us, Major General, is there no policy in SAPS regarding
 2 which vehicles operational commanders use and any attempt
 3 to ensure that an operational commander's vehicle in an
 4 operation is always a vehicle with AvL equipment.
 5 GENERAL NAIDOO: Chair, as I indicated,
 6 the principle is with the exception of covert vehicles
 7 which we would not want tracked by a specific individual,
 8 the principle is that all vehicles should have AvL. We are
 9 in a roll out and implementation phase for the last couple
 10 of years. The consideration that might be taken in when
 11 not fitting into a vehicle is the possible decommissioning
 12 of that vehicle in the near future. Obviously that would
 13 be a fruitless exercise. So ja, the principle, every
 14 vehicle so an operational commander should be in a vehicle
 15 with an AvL in that principle.
 16 CHAIRPERSON: Isn't there a register kept
 17 somewhere indicating AvL equipment which has been supplied
 18 to the SAPS in the North West, indicating on which vehicles
 19 that equipment has been fitted.
 20 GENERAL NAIDOO: Chair, yes, but we
 21 should also remember that it was not only vehicles from the
 22 North West –
 23 CHAIRPERSON: No, but I understand
 24 Brigadier Calitz's vehicle was a North West vehicle, is
 25 that correct?

Page 23371

1 GENERAL NAIDOO: Well, I am not sure.
 2 CHAIRPERSON: That's why I asked the
 3 question. If it wasn't a North West vehicle, of course
 4 other points arise which may lead us down dwaalspore that
 5 we will be wasting time going down.
 6 GENERAL NAIDOO: Chair, ja, and a lot of
 7 this information that was requested was provided to the
 8 evidence leaders, but if there's any gaps we are willing to
 9 assist to close those gaps.
 10 COMMISSIONER HEMRAJ: Mr Chaskalson, I am
 11 just – don't want to misunderstand the import of this, you
 12 are suggesting that because both the vehicles were
 13 stationary that what must have taken place was a
 14 conversation between the witness and Brigadier Calitz?
 15 MR CHASKALSON SC: Well, I would never
 16 try to draw that inference without the fact that there was
 17 a record of a cell phone call being made from the witness's
 18 phone to Brigadier Calitz's phone.
 19 COMMISSIONER HEMRAJ: And that phone
 20 call, sorry to interrupt you, but that phone call you want
 21 us to draw the inference that was actually a conversation,
 22 both vehicles stopped?
 23 MR CHASKALSON SC: Indeed, I suspect that
 24 Brigadier Calitz's vehicle had started moving towards the
 25 end of that conversation, I suspect.

Page 23372

1 COMMISSIONER HEMRAJ: Yes.
 2 MR CHASKALSON SC: But that is the
 3 inference that I will seek –
 4 COMMISSIONER HEMRAJ: I understand that,
 5 thank you.
 6 MR CHASKALSON SC: If we can then go back
 7 to MMM9A and follow your movements a little further. You
 8 had switched on your ignition at the point 15:52:18, where
 9 the right-hand green marker is, and driven down the road a
 10 very short distance, and at 15:53:00 you had reached a
 11 turnoff to the small substation. At 15:53:23 you had
 12 turned up towards the small substation and you've switched
 13 off your ignition. Can you explain –
 14 CHAIRPERSON: I am sorry, you say you,
 15 you really mean his driver?
 16 MR CHASKALSON SC: His driver, yes.
 17 CHAIRPERSON: To avoid confusion on that
 18 later.
 19 MR CHASKALSON SC: Can you explain these
 20 movements?
 21 GENERAL NAIDOO: Chair, as I indicated in
 22 my statement, that we turned at the power station, what we
 23 refer to as the power station. I indicated also in my
 24 testimony, we travelled down the road a short way. We came
 25 to a point where our vehicles could not go any further, and

Page 23373

1 then we made a U-turn, that's where we discussed how many
 2 of the convoy possibly went down, etcetera. We had to make
 3 a U-turn and come back onto the main road and as to the
 4 ignition switching off at the particular time, Chair, as
 5 you could see the few seconds, it's possible, I can't
 6 specifically remember that whilst trying to turn that the
 7 driver could have switched off the vehicle. But we did not
 8 switch off the vehicle and remain stationary. My
 9 recollection of whether it switched off, I can't remember
 10 specifically.
 11 MR CHASKALSON SC: Brigadier, why did you
 12 turn off? Why did you turn up that road in the first
 13 place? What were you seeking to do?
 14 GENERAL NAIDOO: Chair –
 15 MR CHASKALSON SC: I apologise, Major
 16 General, I owe my colleagues a cake.
 17 GENERAL NAIDOO: Chair, as I indicated in
 18 my statement, at that stage I – when we took that, I was
 19 under the impression that we were taking the shortest
 20 possible route to where the incident had occurred.
 21 [10:22] MR CHASKALSON SC: So, Major-General,
 22 your testimony then is that you made that turning after you
 23 had heard the shootings and you were trying to get to the
 24 kraal.
 25 GENERAL NAIDOO: That was my testimony,

Page 23374

1 yes.
 2 MR CHASKALSON SC: And is it still your
 3 testimony?
 4 GENERAL NAIDOO: Chair, in terms of the
 5 timing that's the way I experienced, as we said, the timing
 6 is approximate, yes that's still my testimony.
 7 MR CHASKALSON SC: You see, Major-
 8 General, my difficulty with that explanation is that even
 9 accounting for the roughness of our approximations, your
 10 turn off at that road took place well before the shootings
 11 happened. The shootings at scene 1 because you turned off
 12 that road sometime between CTrack time 15:53:00 and CTrack
 13 time 15:53:23 where you had reached the end of that road
 14 and the ignition is off. Now if we convert our CTrack
 15 times into ETV times you've reached the end of the road at
 16 15:53:43, you've reached the end of the road at 15:53:43
 17 which is still before the shootings. The shootings only
 18 comes 7 seconds later. So you would have had to have
 19 turned off about 30 seconds before the shooting.
 20 GENERAL NAIDOO: Chair, as I testified,
 21 that's how we made the movement.
 22 MR CHASKALSON SC: If we can zoom in on
 23 this area where you drove and switched off your ignition.
 24 We can try zooming in on this map, we may have to do it on
 25 Google Earth itself. Can we zoom in on the marker where

Page 23375

1 15:53:23 is? I'm sorry, I think we need to do this on
 2 Google Earth which require a slight delay because we're
 3 going to have to reconnect the other machine.
 4 CHAIRPERSON: I see it's twenty five past
 5 ten and if it's going to take some time to make these
 6 arrangements it sounds a suitable time to take the comfort
 7 break. I see some heads being nodded, so we'll take the
 8 comfort break now. The electronic arrangements can be made
 9 while we're taking the comfort break and we can then
 10 resume.
 11 [COMMISSION ADJOURNS COMMISSION RESUMES]
 12 [10:49] CHAIRPERSON: The reason for our
 13 adjourning when we did is now being dealt with and we can
 14 now proceed. You're still under oath, Major General.
 15 GENERAL NAIDOO: Still under oath.
 16 MR CHASKALSON SC: If we can zoom in on
 17 the MMM9 to the marker where you switched your ignition off
 18 and then on, just to see the nature of this terrain.
 19 CHAIRPERSON: MMM9 that we've got isn't
 20 the same as what is on the screen because the only figures
 21 on it are CAMG4S G4SFLIR which I take it relates to cameras
 22 and so on. What is on the screen has got times on it. Are
 23 they perhaps on MMM9A?
 24 MR CHASKALSON SC: Chairperson, I don't
 25 know who has given you MMM9. MMM9 does not exist in

Page 23376

1 material form, it's an electronic file. So MMM9A is the
 2 printout of MMM9. MMM9 is necessary so that one can zoom
 3 into –
 4 CHAIRPERSON: Okay, but what is on the
 5 screen looks like part of, at least part of MMM9A, because
 6 it's got the time 15:53:23 to 15:53:48 ignition off/on.
 7 That's on MMM9A. The printout of, I presume part of the
 8 file MMM9 which we've been given, which you told us was on
 9 the screen, as I've indicated to you hasn't got those times
 10 and the legend ignition off/on. So I don't quite know
 11 what's going on.
 12 MR CHASKALSON SC: Has your printout,
 13 does your printout not have ignition off/on on it?
 14 CHAIRPERSON: The printout of MMM9
 15 hasn't, no.
 16 MR CHASKALSON SC: MMM9 there shouldn't
 17 be, MMM9 should not exist in material form, it's an
 18 electronic file.
 19 CHAIRPERSON: Alright, okay, no problem.
 20 MR CHASKALSON SC: MMM9A is the printout
 21 of MMM9.
 22 CHAIRPERSON: MMM9A has got legends which
 23 include the things on the screen except that it's also got
 24 in the road 15:52:18 ignition on, which is not on the
 25 screen at the moment. But –

Page 23377

1 MR CHASKALSON SC: That's because we
 2 zoomed in, Chairperson. It is -
 3 CHAIRPERSON: Okay, so if we understand
 4 there then what we're essentially looking at is MMM9A, then
 5 I think we can proceed without, I hope, any further
 6 confusion. Do you understand what's going on, Major-
 7 General?
 8 GENERAL NAIDOO: I hope so, Chair.
 9 CHAIRPERSON: Well I'm pleased to hear
 10 that. Alright, Mr Chaskalson, let's carry on.
 11 MR CHASKALSON SC: Major-General, did you
 12 order the convoy to turn off at the main road at 15:53, or
 13 at this point where it says, 15:53 driving before 15:53:23
 14 ignition off, did you instruct the convoy to turn up this
 15 road?
 16 GENERAL NAIDOO: That is correct, Chair.
 17 I indicated them to move.
 18 MR CHASKALSON SC: Were you at the head
 19 of the convoy?
 20 GENERAL NAIDOO: I was in the first
 21 vehicle.
 22 MR CHASKALSON SC: And why did you
 23 instruct them to move?
 24 GENERAL NAIDOO: Chair, as I indicated in
 25 my statement the intention was to go directly to the scene

Page 23378

1 of the incident that we've been hearing on the radio.
 2 CHAIRPERSON: It follows from what you
 3 tell us that the incident already happened?
 4 GENERAL NAIDOO: That is what I said,
 5 that is what I testified.
 6 MR CHASKALSON SC: The incident is quite
 7 an imprecise term. Had you heard the shootings yet?
 8 GENERAL NAIDOO: Chair, as I indicated we
 9 heard the pyrotechnics and shortly after that we heard the
 10 shootings, yes.
 11 COMMISSIONER HEMRAJ: General, did you,
 12 sorry, did you actually order the convoy to go right or did
 13 you instruct your driver to, or did you give your driver
 14 some instruction?
 15 GENERAL NAIDOO: Chair, as I testified
 16 when we stopped at the point or when we were at the point
 17 where we were, my understanding is if we took the right
 18 turn that would be the shortest route to where the
 19 negotiation area was. That was my understanding at that
 20 stage.
 21 MR CHASKALSON SC: So your intention –
 22 can I get back to my question, Major General – had you
 23 heard the shootings before you instructed the convoy to
 24 make this turning?
 25 GENERAL NAIDOO: Chair, as I indicated,

Page 23379

1 once we heard the, once we had heard the pyrotechnics
 2 taking place, yes, people started up and started preparing
 3 because as I also indicated some of us had climbed out of
 4 the vehicle. We had not, at that stage, taken the
 5 opportunity to step out and to stretch ourselves. And the
 6 convoy moved slowly forward and we turned, when I indicated
 7 to the driver, go, then we turned into that place. So it's
 8 during that process, yes, I heard the shooting. I can't
 9 tell you exactly where we were at that point when we heard
 10 the shooting but I was outside the vehicle climbing into
 11 the vehicle when these things happened.

12 CHAIRPERSON: It's quite clear from what
 13 you tell us that your vehicle had not yet turned off the
 14 main road, gone to the right, yet because you were outside
 15 your vehicle, presumably standing in the main road, is that
 16 right?

17 GENERAL NAIDOO: Standing alongside the
 18 vehicle, Chair, yes.

19 CHAIRPERSON: And it was only after that
 20 that you heard, or it was then, did you actually hear what
 21 I'm going to read you in a moment, what was on the radio,
 22 did you hear that when you were standing outside your
 23 vehicle in the road?

24 GENERAL NAIDOO: Chair, as I indicated
 25 we, I was still outside when we heard all these things

Page 23380

1 happen and that was the indication for us to start
 2 preparing ourselves, and during that process I climbed into
 3 the vehicle.

4 CHAIRPERSON: You see according to the
 5 OB, the occurrence book, FFF25, there was a situation
 6 report. I think I read it to you previously. It says,
 7 "Papa1", it's now accepted that that's a mistake, it should
 8 be chopper 1, "chopper 1 reporting the group are moving to
 9 TRT members" and they tried to attack them.

10 GENERAL NAIDOO: Yes.

11 CHAIRPERSON: Again it should be,
 12 "chopper 1 reporting that people are moving around and some
 13 are down." And it seems to be accepted that that's on
 14 account of, a cryptic account of the strikers or group of
 15 strikers moving towards the TRT people, the POP people
 16 having got out of the way, TRT people being called upon to
 17 protect the POP people who were now out of the way. The,
 18 seen what the police attitude or police understanding of
 19 what was happening was that the group were advancing to
 20 attack the TRT members, in other words they were, TRT
 21 members were going to be attacked, hence the statement,
 22 they tried to attack them, TRT people responded as we know
 23 by firing. And then some were down after that.

24 GENERAL NAIDOO: Yes, Chair.

25 CHAIRPERSON: Now you, I think you told

Page 23381

1 us you heard that on the radio.

2 GENERAL NAIDOO: Yes, we were all
 3 following it on the radio, yes Chair.

4 CHAIRPERSON: And did you also, and you
 5 then heard the gunfire, not just stun-grenade fire, but as
 6 it were but heavy –

7 GENERAL NAIDOO: Volley.

8 CHAIRPERSON: Heavy volley, a volley of
 9 sharp ammunition being fire.

10 GENERAL NAIDOO: That's correct.

11 CHAIRPERSON: Obviously the R5s being
 12 fired, you heard that?

13 GENERAL NAIDOO: That is correct, Chair.

14 CHAIRPERSON: And you are adamant, are
 15 you, that it was only after that that you then instructed
 16 your driver, I take it, to go, to turn on the ignition, go
 17 down, turn to the right, go down that road and you were
 18 then presumably proceeding as best you could to wherever
 19 the shooting and so on had taken place because you we were
 20 required to be there. Am I understanding correctly or have
 21 I got it wrong?

22 GENERAL NAIDOO: Chair, with one
 23 qualification. I had, when I got into the vehicle, did not
 24 instruct my driver to start, he had already obviously
 25 started the vehicle in preparation for movement.

Page 23382

1 CHAIRPERSON: What you were doing, even
 2 not having told him in words, you were intending to proceed
 3 to, we can't say scene 1 because you didn't know exactly
 4 where scene 1 was at that stage, but wherever the shooting
 5 had taken place and these people down that you'd heard
 6 about on the radio, is that correct?

7 GENERAL NAIDOO: Preparing to take
 8 whatever action is necessary, yes.

9 CHAIRPERSON: Yes, at the scene where the
 10 people were down?

11 GENERAL NAIDOO: Chair, I think it was at
 12 that time we had this discussion about whether I could see
 13 the smoke, etcetera, it was during this particular period,
 14 yes.

15 MR CHASKALSON SC: You see Major-General,
 16 I have a problem with that explanation because if you were
 17 outside the vehicle, or at any rate if the convoy was
 18 static when you heard the shooting and the ignition only
 19 got switched on at that time, the ignition was switched on
 20 only on two separate occasions. The first occasion was at
 21 15:52:18 where the convoy was in its starting position
 22 going, stretching back to forward holding area 1
 23 intersection, is that where you say you were now when you
 24 heard the shootings?

25 GENERAL NAIDOO: Chair, I think I

Page 23383

1 testified quite clearly that it was not only the shootings
 2 we heard, we initially heard the pyrotechnic which gave us
 3 an indication that something had started and I indicated
 4 that we, quite a few of the members were outside the
 5 vehicle. People started climbing into the vehicles. I
 6 would not say that the driver started his vehicle when he
 7 heard the shooting because when I had got into the vehicle,
 8 the vehicle was already running. So yes, the preparation
 9 in anticipation that something will happen occurred as we
 10 heard the events unfolding on the radio and directly heard
 11 things like pyrotechnics.
 12 MR CHASKALSON SC: So you'd heard
 13 pyrotechnics by the time that you left your starting point,
 14 are you saying?
 15 GENERAL NAIDOO: No, I indicated that our
 16 preparation to respond when needed started once we heard
 17 pyrotechnics and the conversation on the radio.
 18 MR CHASKALSON SC: Well then the answer
 19 should have been yes, you had heard pyrotechnics by the
 20 time you responded?
 21 CHAIRPERSON: Yes, what he's saying is,
 22 as I understand, to be fair to him, he's saying he'd heard
 23 pyrotechnics and something else. Am I right Major-General?
 24 You heard pyrotechnics, you heard the conversation on the
 25 radio, you then heard shots actually, you heard the volley

Page 23384

1 of shots.
 2 GENERAL NAIDOO: That's the sequence,
 3 Chair.
 4 CHAIRPERSON: Ja, that's the sequence.
 5 And now trying to relate that to times and your movements
 6 and so on, if we start, we're now looking at MMM9B, and at
 7 the foot of the page there is a start-up. Above that is
 8 ignition off, and I think what we discussed before the
 9 adjournment was that your driver preparatory to doing the
 10 U-turn that you described, must have turned the ignition
 11 off and then started the vehicle again, because, is that
 12 right? Sorry, let's just go through it. The start-up is
 13 the entry at the bottom of the page.
 14 GENERAL NAIDOO: Mm.
 15 CHAIRPERSON: I understood you to say
 16 that was just when the U-turn started. The ignition off
 17 was when you'd got down the, gone somewhere down the road
 18 and – sorry, you'd done the right turn, you were going down
 19 the road towards the top of the slide here on 3, you then,
 20 I think you explained that there was a problem in going
 21 forward, you didn't have a 4x4 vehicle, you only had an
 22 ordinary vehicle.
 23 GENERAL NAIDOO: Ja.
 24 CHAIRPERSON: So the vehicle stopped, it
 25 would seem and then a U-turn was done and that stop appears

Page 23385

1 to be in the ignition off, which is the second last entry
 2 on the page. Above that is driving, that would be driving
 3 from the main road towards the spot where you stopped, and
 4 then above that you start up. That's the fourth entry from
 5 the foot of the page, and that's the start-up, I take it,
 6 in the main road at the point where the vehicle turned to
 7 the right to go up along the, I don't know if it was the
 8 fence or barrier of some kind.
 9 GENERAL NAIDOO: I indicated -
 10 CHAIRPERSON: By the power station, is
 11 that correct?
 12 GENERAL NAIDOO: Chair, yes, with one
 13 qualification. The reason why I, I specifically indicated
 14 I could not remember whether the vehicle had stalled but
 15 looking at the location when that particular incident
 16 occurred on the AVL, it would be probably at the time when
 17 the vehicle was turning, so it possibly could have stalled.
 18 But as I said I specifically could not remember it
 19 switching off or stalling.
 20 MR CHASKALSON SC: Major-General, if a
 21 vehicle stalled in the context of the situation that you
 22 are describing, an emergency situation, where you are
 23 trying to get medical treatment to gunshot victims as
 24 quickly as possible, do you think it's likely it would have
 25 taken 25 seconds before the vehicle was switched on again?

Page 23386

1 GENERAL NAIDOO: Chair, I would not want
 2 to try and render some technical opinion on this matter.
 3 What I proposed and looking at the location of that
 4 particular signal at that time was that, as far as my
 5 knowledge is concerned, we were making a U-turn there. I
 6 proposed, and I said I could not remember specifically,
 7 that in making that U-turn the vehicle could have stalled
 8 because we were in a cramped sort of situation that we
 9 tried to turn the vehicles around, and I think it was
 10 aggravated by the fact right behind us was the rest of the
 11 convoy. So I'm just offering the reason for the ignition
 12 off and should the vehicle stall it would indicate ignition
 13 off, it would not indicate stalled, because it's a signal
 14 that the engine is not running.
 15 MR CHASKALSON SC: I'm putting to you
 16 Major-General that that's not a plausible explanation
 17 because if you were essentially taking a convoy of
 18 ambulances to a medical emergency scene and you stalled, it
 19 wouldn't take you 25 seconds before you decided to switch
 20 the engine back on. What's your response to that?
 21 GENERAL NAIDOO: Chair, as I indicated I
 22 would not render a technical opinion on that but we have
 23 the vehicle still available and we could check on the
 24 terrain as to what transpired but practically I could not
 25 remember the vehicle switching off myself.

Page 23387

1 CHAIRPERSON: I must say, I would have
 2 thought that, to be fair to you, one would, it's possible,
 3 if not likely that you or the driver, probably the driver,
 4 would have wanted to give a signal to the people behind,
 5 the rest of the convoy that you were actually turning and
 6 doing a U-turn and going back, so it isn't just stalling
 7 and then starting up again, you would want to ensure that
 8 the people behind you know that there's a change of plan
 9 and that you're doing a U-turn and going back to the main
 10 road. So I would have thought, speaking for myself, prima
 11 facie, that that might explain the delay of some seconds.

12 GENERAL NAIDOO: Chair –

13 CHAIRPERSON: I don't know how that
 14 strikes you?

15 GENERAL NAIDOO: It might, but as I
 16 indicated we did not alight from the vehicle, we came to an
 17 end where the vehicle could not go anymore and the driver
 18 tried to turn around. I did indicate there was a problem
 19 because the vehicle following us was right up behind us so
 20 it had a -

21 CHAIRPERSON: Presumably he would have
 22 turned his flicker lights on so the vehicle behind would
 23 have seen that he was turning to the right. It would have
 24 been a very dangerous manoeuvre surely to suddenly turn to
 25 the right with the convoy behind you, I don't know how

Page 23388

1 close the nearest one was but not something I think a
 2 cautious driver would have done, am I right?

3 GENERAL NAIDOO: Chair, I don't remember
 4 him putting his flicker light but I remember we were all,
 5 we both were trying to indicate to the vehicles behind us,
 6 you know, to turn around because obviously we couldn't
 7 proceed any further.

8 MR CHASKALSON SC: Major-General, let me
 9 offer you another plausible explanation for why your
 10 vehicle was switched off at that point, a much more
 11 plausible explanation. Your vehicle was switched off at
 12 15:53:23 CTrack time, that's 15:53:13 Vodacom time. The
 13 shootings took place at 15:53:50, 5-0, that's after your
 14 vehicle was switched off, ETV time, that's 15:53:30 CTrack
 15 time and 15:53:20 Vodacom time. At 15:53:31, eleven
 16 seconds after the shooting started, Vodacom time, you tried
 17 to call Brigadier Calitz, while your ignition was still
 18 off. And your ignition turns back on at 15:53:48 which was
 19 seven seconds after your call to Brigadier Calitz went to
 20 voicemail. So what I want to put to you is if one looks at
 21 the vehicle tracking records and the cell phone records it
 22 seems quite clear that you heard the shootings at the point
 23 at which you had stopped and your ignition off and not at
 24 any earlier point. What's your response to that?

25 GENERAL NAIDOO: Chair, no. I clearly

Page 23389

1 remember that we were not on that little road at the power
 2 station when we heard the shootings. We were still on the
 3 main road, so I don't think that presumption is correct.

4 [11:06] MR CHASKALSON SC: Major-General, your
 5 memory of your movements has already been shown to be
 6 remarkably unreliable. Initially you put yourself
 7 approximately 600 metres from where you say you now, or we
 8 know you now were. How do you explain this extraordinary
 9 correlation of times where your ignition is off, shootings
 10 happen, you phone Brigadier Calitz and seven seconds after
 11 you get his voice mail your ignition goes back on?

12 GENERAL NAIDOO: Chair, I think firstly,
 13 with regard to the reliability, if we go to my testimony
 14 about the location of where I was, I think I described
 15 exactly where I was. It may not be correlation between
 16 what I said and what was on the map, I described exactly
 17 where I was, I indicated that we were at a particular
 18 point, alongside a smelter. I indicated that the fact
 19 there was a brick wall to my right which obscured our
 20 vision of any of the action taking place at scene 1. So I
 21 do not think - on the transcripts of the day, on page 23033
 22 I specifically pin point where I was in terms of holding.
 23 I recollected the power station as well as the smelter. So
 24 I think that the presumption that I was, what was the term,
 25 I'm not sure, that the advocate used is incorrect. I

Page 23390

1 concede see it on the map, it was not what I pointed out,
 2 but what I described is what we are discussing now, Chair.

3 CHAIRPERSON: He used the word unreliable
 4 and I understand what you say about your verbal
 5 description. The fact is you pointed out a spot on the map
 6 which wasn't correct. So the pointing out was at least
 7 unreliable. That's correct isn't it?

8 GENERAL NAIDOO: Chair, yes and on the
 9 basis of that pointing out I have the map that we used on
 10 the day and I'm sure if you had sight of the map you would
 11 understand the reason for the error that I am conceding to.

12 MR CHASKALSON SC: And that map, if I
 13 understand it, is MMM1.

14 GENERAL NAIDOO: Chair, I've already
 15 indicated that when I testified that the map seemed
 16 familiar and I was not sure if it is exactly the same map.
 17 The reason why I made those comments and I think evidence
 18 was led that forward holding area 1 is not indicated on the
 19 map. I have the very map that we used on the particular
 20 day. Forward holding area 1 and forward holding area 2 are
 21 clearly indicated on the map and I'm prepared to hand it in
 22 so that it can be seen.

23 CHAIRPERSON: Well if you want to hand it
 24 in as an exhibit you're entitled to. It will then be
 25 presumably exhibit MMM11.

Page 23391

1 MR CHASKALSON SC: Well can we see the
2 exhibit as well?
3 CHAIRPERSON: Well he wants to hand it
4 in, I must allow him to do so, clearly.
5 MR CHASKALSON SC: But I'd like to see
6 what it is so I can ask a follow up question.
7 CHAIRPERSON: No, I understand. If it
8 goes in exhibit everyone is entitled to see it, that's what
9 the exhibit means, for it to be exhibited to everybody.
10 But it's in now, so it will be Major-General Naidoo's copy
11 of map used by him on 16-08-2012. That adequately
12 describes it. Mr Semenya.
13 MR SEMENYA SC: Chair, maybe if we can
14 also indicate that the original which authenticates it has
15 notes of the day behind it which your copy doesn't have.
16 CHAIRPERSON: Yes, yes I understand.
17 Anyway this is a copy he had and it will go in. We'll see
18 both sides and it will exhibit MMM11 and copies will be
19 made and so forth. Do you now understand?
20 MR CHASKALSON SC: We'd also like to –
21 CHAIRPERSON: Mr Chaskalson, everyone
22 will see it, Mr Chaskalson, not only Mr Semenya and me, so
23 don't worry. But Mr Bizos and company will see it also.
24 But you see I've got – perhaps I must wait until a bit
25 later to ask a question. My problem relates to the times

Page 23392

1 you see. You were quite clear that you were still in the
2 main, you hadn't turned right yet –
3 GENERAL NAIDOO: That's correct.
4 CHAIRPERSON: - when you heard those
5 pyrotechnics, as you put it, that's the stun grenades, you
6 heard the report over the radio that is recorded in the
7 occurrence book which I read you. And you heard the volley
8 of that sharp ammunition. That was before you turned –
9 GENERAL NAIDOO: That's correct, Chair.
10 CHAIRPERSON: - turned right. These
11 times as adjusted are correct and if it's correct the time
12 that we have as to when the firing took place and when this
13 incident referred to in occurrence book took place, then it
14 would seem that, unless I have misunderstood, that incident
15 took place after you turned. Am I right, Mr Chaskalson?
16 MR CHASKALSON SC: After he had switched
17 off his ignition at the top of the road.
18 CHAIRPERSON: Yes, yes.
19 MR CHASKALSON SC: Long after he had
20 turned.
21 CHAIRPERSON: So the short point is, is
22 that he turned, the vehicle in which he was travelling had
23 turned to the right and gone up the side of the power
24 station prior to the shooting, prior to the pyrotechnics.
25 Well I presume, but anyway certainly prior to the shooting.

Page 23393

1 MR CHASKALSON SC: And prior to the
2 pyrotechnics because the first pyrotechnic started only 20
3 seconds before the shooting.
4 CHAIRPERSON: That's my problem and my
5 experience over the years has been that when evidence – you
6 know this is on the assumption that I put to you that the
7 various times are correct, my experience has been that if
8 inaccurate information is given of an important nature,
9 once it is clear it is inaccurate, there's an arrow that
10 often points in the direction of the truth. So I'm rather
11 puzzled to know, if this is inaccurate, obviously if it's
12 not inaccurate it would fall away, but if it's inaccurate
13 I'm rather interested to know how the inaccuracy arose and
14 what it tells us in what direction the arrow points. So
15 that's something which I won't ask questions about now, but
16 I'm just telling you it's a bit of a mystery at the moment.
17 But I hope when we solve the mystery we will be closer to
18 the truth.
19 GENERAL NAIDOO: Chair, ja this is the
20 reason why when I led evidence in this I was confident that
21 the AVL will indicate my movements. It was not [inaudible]
22 and I mean this AVL already handed over to the Commission
23 in July, it was requested in July last year. So I would
24 have thought that whatever I was saying and what was being
25 presented on the day when I was being cross-examined would

Page 23394

1 be done in relation to the AVL and not, you know, now. So
2 the whole –
3 CHAIRPERSON: Yes, yes I understand that
4 and I understand – I'm not suggesting that you're
5 necessarily deliberately telling an untruth or anything of
6 that kind. This is all under the assumption which may turn
7 out to be incorrect anyway, but it may indicate that, you
8 know, the passage of time has done damage to your memory as
9 it were. And remember you say you wrote your statement out
10 earlier on, it was only deposed to in November.
11 GENERAL NAIDOO: Yes.
12 CHAIRPERSON: And it may indicate that
13 one has to approach your memory with a fair degree of
14 caution because of a possibility that, you know, your
15 memory's been affected by the passage of time. But anyway
16 these are all matters we don't have to debate now, but
17 there are, you understand, issues on the table that we'll
18 have to deal with.
19 GENERAL NAIDOO: Of course and that's I
20 hope that the AVL will give us some correlation in terms of
21 that.
22 COMMISSIONER HEMRAJ: General, if you
23 hadn't heard the pyrotechnics, if you hadn't heard the
24 shooting would you have still instructed the convoy to turn
25 right and go up that road?

Page 23395

1 GENERAL NAIDOO: Chair, we would not even
 2 have started the vehicle, it would have not been necessary
 3 because remember we would have been waiting. If we didn't
 4 hear anything there was no reason because I basically
 5 people to stand down and to wait until further
 6 instructions. So yes if I had not heard those things I
 7 would have not moved.
 8 CHAIRPERSON: Unless you'd had a
 9 conversation with Brigadier Calitz that you no longer
 10 remember where he told you something which made you turn,
 11 but anyway that's speculation. You see the problem is it's
 12 suggested to you by Mr Chaskalson that there in fact was a
 13 conversation between you and Brigadier Calitz. And that
 14 the follow up suggestion would I imagine be that in
 15 consequence of what was said, if there was a conversation,
 16 you then decided to go somewhere to the right to deal with
 17 some kind of situation, despite the fact that the actual
 18 shooting and so forth hadn't happened. But these are all
 19 mysteries at the moment that we may get to the bottom of or
 20 we may not.
 21 GENERAL NAIDOO: Of course Chair, but I
 22 think that's why I insisted on introducing the AVL which
 23 was already in the Commission because it will show that I
 24 was attempting to get to scene 1 in what I thought was the
 25 shortest possible way. I already testified of this fact, I

Page 23396

1 was not familiar with the area.
 2 CHAIRPERSON: And if the times are right
 3 then AVL shows you were trying to get to scene 1 or some
 4 similar scene prior to the shooting. That's the problem
 5 we've got.
 6 GENERAL NAIDOO: Of course the time, yes
 7 is the issue.
 8 MR CHASKALSON SC: There is, of course,
 9 another possibility. If we zoom in on this area, can we
 10 zoom in? On the area where you switched off your ignition
 11 for the first time after you started moving at 15:53:23.
 12 That area strikes me as the sort of area one might take a
 13 convoy to if one wanted to park a convoy in an area off the
 14 road, if one didn't want the convoy to be laid out on the
 15 road. It's a position where a convoy could be parked,
 16 where it wouldn't be visible from the koppie if one didn't
 17 want to disclose its existence to the mineworkers. And
 18 previously the rationale for the reserve troops being where
 19 they were was to keep them out of sight. This strikes me
 20 as a perfect place to park a convoy and it's a flexible
 21 place because it enables the convoy to be parked in a way
 22 that gives you access back to the main road to go either
 23 left or right depending on what the occasion demands.
 24 What's your response to that?
 25 GENERAL NAIDOO: Chair, I think to

Page 23397

1 respond to that particular one it would be very simple.
 2 There were drivers of those 25 vehicles and we can get
 3 their statements of wherever they were parked there on the
 4 main road. As I testified we never parked there, we drove
 5 down and we turned around. So we can labour the point but
 6 the corroboration would be from other drivers as well.
 7 CHAIRPERSON: I think you're
 8 understanding the point correctly. I don't think Mr
 9 Chaskalson – well he'll tell us if I'm wrong, I don't think
 10 he's suggesting that you actually parked there. I think
 11 he's suggesting, as I understand him, there seems to be a
 12 neutral suggestion frankly, that you didn't want to clutter
 13 up the road with your convoy parked there until you had to
 14 proceed to whatever scene you had to go to. You didn't
 15 want to be seen, he says, from the koppie. So a really
 16 sensible thing, both from the point of view of not being
 17 seen from the koppie and also not cluttering up the road
 18 for other traffic, is to take your vehicles off the road,
 19 park them off the road until they were needed. But he's
 20 not suggesting you then parked there, he's suggesting that
 21 as you were going there you decided to turn around. Am I
 22 right –
 23 MR CHASKALSON SC: Well my suggestion is
 24 that he did stop there, but, almost at the point at which
 25 he stopped. Maybe 20 seconds or so after he stopped the

Page 23398

1 shootings happened.
 2 CHAIRPERSON: He didn't stop for very
 3 long.
 4 MR CHASKALSON SC: Indeed. What prompted
 5 him to get going again was the shootings.
 6 COMMISSIONER HEMRAJ: It's been suggest
 7 that what the General did was turned right with his convoy,
 8 as your understand your question, to have his vehicles
 9 lined up in that area.
 10 MR CHASKALSON SC: To have his vehicles
 11 off the main road in an area where they wouldn't be visible
 12 from the convoy and in a position where they could redeploy
 13 in either direction, left or right along the main road when
 14 the occasion demanded. Because they would have come back
 15 to the main road to deploy whatever happened. So it
 16 prevented the need for having a convoy facing in one
 17 direction on a main road, having to perform a U-turn on a
 18 main road if they had to go in the other direction. What's
 19 your response to that, General?
 20 GENERAL NAIDOO: Chair, yes I'm not saying
 21 it's not a rational suggestion, but what I'm saying is that
 22 is not what we did.
 23 MR CHASKALSON SC: Well let's take it
 24 step by step. You thought that you were at immediate
 25 response area 1.

Page 23399

1 GENREAL NAIDOO: That is correct, Chair.
 2 The practise previously was to keep troops at immediate
 3 response area 1 out of sight of the miners.
 4 GENERAL NAIDOO: That is correct, Chair.
 5 MR CHASKALSON SC: In this situation if
 6 your convoy's stretched back along the main road it would
 7 be visible from the koppie would it not?
 8 GENERAL NAIDOO: Chair, as I indicated,
 9 from where we were we could not see the koppie. This
 10 particular, what's now referred as the sub-station on that
 11 side has a brick wall surrounding it. So we had no
 12 visibility of the sub-station from where we were. Hence we
 13 did not see some of the issues that were raised in the
 14 previous cross-examination.
 15 MR CHASKALSON SC: Well certainly once
 16 you'd taken the vehicles up this road you had no visibility
 17 of the koppie because the brick wall of the sub-station
 18 obscured your view and equivalently protected you from the
 19 view of the mineworkers. As a matter of fact if your
 20 convoy was stretched out along the main road there would be
 21 a line of sight to the koppie.
 22 GENERAL NAIDOO: Chair, possibly. As I
 23 said, that would have to verified by inspection in loco,
 24 however, if the issue was about visibility, at that cross-
 25 road we had a permanent presence, I already indicated. And

Page 23400

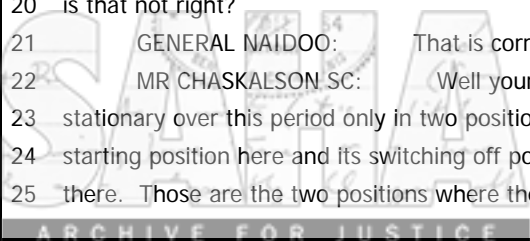
1 I think we've seen photographs to the effect, so the police
 2 were there on a permanent basis anyway. So vehicles being
 3 seen from the koppie, I don't think it would have made any
 4 difference, Chair.
 5 MR CHASKALSON SC: Then there is the
 6 issue of the times as well.
 7 GENERAL NAIDOO: That's correct.
 8 MR CHASKALSON SC: And let's pin down a
 9 bit more of your evidence. Where were you when you heard
 10 pyrotechnics for the first time would you say?
 11 GENERAL NAIDOO: Chair, as I indicated,
 12 we were – it was before we turned off. We were on the main
 13 road, so at this stage, I may not be able to show you where
 14 on the main road, but we were on the main road. I
 15 indicated it initially when the pyrotechnics started I was
 16 standing outside the vehicle. I was not inside the
 17 vehicle.
 18 MR CHASKALSON SC: If that's the case
 19 then your vehicle would have had to have been stationary,
 20 is that not right?
 21 GENERAL NAIDOO: That is correct, Chair.
 22 MR CHASKALSON SC: Well your vehicle was
 23 stationary over this period only in two positions. Its
 24 starting position here and its switching off position
 25 there. Those are the two positions where the vehicle was

Page 23401

1 stationary.
 2 CHAIRPERSON: But you don't say what
 3 there and there is –
 4 MR CHASKALSON SC: 15:51:18 ignition on
 5 marker and the 15:53:23 off marker. So the starting
 6 position with the convoy stretching back to forward holding
 7 area 1 and the position where you switched off your
 8 ignition at the side of the small sub-station. So which of
 9 those positions were you in when you heard the
 10 pyrotechnics?
 11 GENERAL NAIDOO: Chair, I have already
 12 testified that I was on the road, so I possibly would be at
 13 the indicated at 15:50 something, yes.
 14 MR CHASKALSON SC: 15:52:18.
 15 GENERAL NAIDOO: Yes.
 16 MR CHASKALSON SC: Now the problem with
 17 that proposition is, however rough our assumptions are, on
 18 the most generous assumption in your favour there couldn't
 19 have been pyrotechnics taking place at 15:52:18 CTrack time
 20 because the very first pyrotechnics that took place were at
 21 15:53:30 ETV time which is 15:53:00. Oh sorry, 15:53:10
 22 CTrack time. So the ignition here was switched on a minute
 23 before pyrotechnics happened.
 24 GENERAL NAIDOO: Chair, as I indicated,
 25 as for the time I'm not going to be able to say, but as I

Page 23402

1 say, where my location was and when we started preparing or
 2 on the possibility of something is all I can testify to.
 3 CHAIRPERSON: It occurs to me that if the
 4 information we have in relation to the time is right then
 5 there's something with your evidence. But I'm not sure
 6 it's necessarily sinister, it could indicate simply that
 7 your memory is a bit inaccurate, that you decided to go off
 8 the road because either you didn't want to be seen from the
 9 koppie or you didn't want to clutter up the road for
 10 passing traffic. You went to the position along the side
 11 of the power station. You'd just arrived there, had been
 12 there a few seconds when you heard the pyrotechnics and the
 13 shooting and you then decided well we'd better get out of
 14 here and get to the scene as soon as we can. But whichever
 15 it is doesn't seem to be – this is prima facie view it
 16 doesn't seem to be sinister as far as your evidence is
 17 concerned. You may be making a mistake, but I don't think
 18 it's a mistake that reflects any discredit on you except it
 19 indicates, that like most of us, your memory is fallible.
 20 GENERAL NAIDOO: Chair, yes. As I
 21 indicated, what I testified as far as I could remember and
 22 I clearly indicated I will not be able to testify to the
 23 times because at that stage I was not looking at the times.
 24 I testified as to how I experienced it at that particular
 25 time.



Page 23403

1 CHAIRPERSON: If the times are right then
 2 they indicated your memory is wrong.
 3 [11:28] But if your memory is wrong it doesn't
 4 necessarily lead to any sinister inference. It just simply
 5 indicates that you're human like the rest of us and you've
 6 got a fallible memory, that's all.
 7 GENERAL NAIDOO: Thank you, Chair.
 8 MR CHASKALSON SC: You see there's
 9 another reason why it seems to me highly unlikely that you
 10 would've been at your starting position when you heard the
 11 pyrotechnics and that's because from this position there is
 12 a clear line of sight to the kraals and the scene of the
 13 pyrotechnics, whereas from that position there is not and
 14 your – sorry, this position is your starting position at
 15 15:52 ignition on and that position is the 15:53:23
 16 position. Now you're clear that you didn't see the
 17 pyrotechnics.
 18 GENERAL NAIDOO: Chair, two things. I
 19 think I've already testified to the fact that I was not
 20 sure exactly when my driver switched on the vehicle and
 21 there were two things to consider. Remember there was
 22 radio conversation as well as pyrotechnics and we can't see
 23 them in isolation. So what caused him to switch the
 24 vehicle on, I won't be able to testify to. As I indicated,
 25 when I did get into the vehicle the vehicle was on. And on

Page 23404

1 the issue of the pyrotechnics and not being able to see the
 2 smoke, yes, I stand by what I said. We could hear what we
 3 could not see.
 4 MR CHASKALSON SC: Now if you were in the
 5 position where I suggest you were, which is 15:53:23, you
 6 wouldn't have had a view because there was a tall brick
 7 wall obscuring your view, whereas if you were in the
 8 position at your starting position, you would've had a
 9 clear line of sight and I struggle to see how you would've
 10 failed to see the pyrotechnics if you looked in that
 11 direction. What's your response to that?
 12 GENERAL NAIDOO: Chair, we're working on
 13 the assumption that it's only the substation. What about
 14 vegetation? Can we maybe have a look but as I said, in my
 15 testimony as well I indicated I had no line of sight, me
 16 personally.
 17 MR CHASKALSON SC: We will be able to
 18 indicate the vegetation to you in due course, we can switch
 19 to street view but that will take some time and I will do
 20 it at a later stage but let's follow the movement of your
 21 vehicle from after you switched your ignition on at the
 22 position where you've turned around next to the small
 23 substation. Chairperson, I've noticed it's 11:30. I'm not
 24 sure –
 25 CHAIRPERSON: Well, you're quite right,

Page 23405

1 it's tea time. During the tea time I would – I mentioned
 2 that we've been given copies of MMM11 but only the front
 3 side. I understand there's writing on the back which may
 4 be relevant so perhaps copies could be made of that for us
 5 while we take the tea adjournment.
 6 [COMMISSION ADJOURNS COMMISSION RESUMES]
 7 [11:59] CHAIRPERSON: - side of exhibit MMM11.
 8 So what I'll do is I'll mark the one we've got MMM11.1 and
 9 I'll mark the reverse side as MMM11.2, so we have that.
 10 That is correct, is it, this is the reverse side? This is
 11 the reverse side – sorry, I must just put you under oath
 12 first, remind you that you're still under oath.
 13 GENERAL NAIDOO: s.u.o.
 14 CHAIRPERSON: This is the reverse side of
 15 MMM11?
 16 GENERAL NAIDOO: That is correct, Chair,
 17 as far as I know of.
 18 CHAIRPERSON: It's now MMM11.2, thank
 19 you. I've reminded you, you're under oath. Mr Chaskalson
 20 –
 21 MR CHASKALSON SC: Before we –
 22 CHAIRPERSON: I got the impression you
 23 were moving on from this point. I got the impression that
 24 almost all the juice from this particular lemon has been
 25 extracted but –

Page 23406

1 CROSS-EXAMINATION BY MR CHASKALSON SC (CONTD.):
 2 Well, the lemon of the turnaround point, yes, Chairperson.
 3 Before we put MMM11 away I just want to raise one issue
 4 with the Major-General around it. I see at the top of this
 5 document is a cell phone number for Lieutenant-Colonel, is
 6 it Gaffley?
 7 GENERAL NAIDOO: That's correct, Chair.
 8 MR CHASKALSON SC: And you had this
 9 document on your person on the day, on the 16th?
 10 GENERAL NAIDOO: Chair, yes. I did
 11 indicate that this vehicle was – this was a map that we
 12 used on the 16th.
 13 MR CHASKALSON SC: And why had you
 14 written Lieutenant-Colonel Gaffley's cell phone number on
 15 the back of the map?
 16 GENERAL NAIDOO: Chair, yes, I indicated
 17 in my testimony at that stage that Colonel Gaffley and
 18 Colonel Modiba who were part of forward holding area 1 on
 19 the 16th when we took up our positions prior to the
 20 operation commencing, Colonel Gaffley and his members took
 21 up position at immediate response area 1 and I did at some
 22 stage allude to the fact that I was responsible to ensure
 23 that the wellbeing of the members was taken care of and
 24 that being, and make sure that they had sufficient supplies
 25 of water and that they were fed timeously because members

Page 23407

1 were waiting for long hours between eight to 12 hours and
 2 that was one of the support functions that we discussed
 3 previously in the testimony. So at that stage I was making
 4 sure of what we would do in respect of all those
 5 arrangements so I – and you would see at some stage just
 6 prior to serving lunch I did call him to confirm that we
 7 were going to have somebody bring stuff over to him.
 8 Colonel Gaffley was not somebody I have worked with before
 9 so I did not have his number on my telephone and it was not
 10 necessary to call him previously, as far as I could recall,
 11 until that stage.

12 MR CHASKALSON SC: Did you yourself go to
 13 visit him at immediate response area 1 or did you send
 14 somebody else?

15 GENERAL NAIDOO: No, Chair, I had people
 16 that were delivering even to the people right up at the
 17 negotiation area. The meals were taken to them from
 18 forward holding area, not by myself as presumed previously.
 19 I just ensured that the distribution occurred to all
 20 members that were on deployment.

21 MR CHASKALSON SC: And did you direct
 22 these people to immediate reaction area 1?

23 GENERAL NAIDOO: Chair, yes. I indicated
 24 to them that they must – as I indicated, we were in
 25 possession of this map and we just indicated that this is

Page 23408

1 where the task was and NIU is and the meals should be
 2 delivered to them. At this stage on this particular I'm
 3 not sure whether we delivered the meals to them or whether
 4 somebody from them came and picked it up but the
 5 arrangement would be that the meals must get to the
 6 members, they won't come to the meals.

7 MR CHASKALSON SC: And whoever was
 8 responsible for that was able to find their way to
 9 immediate reaction area 1?

10 GENERAL NAIDOO: Chair, they did not
 11 report any difficulties in doing that so my presumption is
 12 yes, it was a person that also went and delivered to
 13 members at the negotiation group as well.

14 MR CHASKALSON SC: Can you explain why
 15 you weren't able to find your way to immediate reaction
 16 area 1?

17 GENERAL NAIDOO: Chair, I have indicated
 18 the first time that I actually went there was at the time
 19 when we moved forward, so I base my assumptions on this map
 20 that I have presented here.

21 MR CHASKALSON SC: But if one looks at
 22 the map and where the position of your convoy was, you
 23 stopped less than half of the way that you had to travel to
 24 get to immediate reaction area 1 and in circumstances where
 25 the terrain was completely different. There's a very sort

Page 23409

1 of built up area of the Lonmin complex opposite the place
 2 where you stopped. To get to immediate reaction area 1
 3 you've got to go through patches where there's open veld on
 4 either side, a slimes dam, how did you make that mistake?

5 GENERAL NAIDOO: Chair, as you would see
 6 from the map, this substation which we eventually stopped
 7 at and assumed to be the location of the power station, it
 8 does not look very substantial here on the map, it's
 9 actually almost insignificant but it's not so when you're
 10 on the ground, it's quite a structure. So – and with
 11 regard to the Lonmin infrastructure on the left, remember
 12 on the map it shows some sort of infrastructure on the
 13 left, so it was just a wrong assumption but ja, that's it.

14 MR CHASKALSON SC: Are you, do you have
 15 previous experience with reading maps?

16 GENERAL NAIDOO: I'm not sure. I use a
 17 normal car map or a GPS but I don't think I've got any
 18 advanced knowledge of map reading.

19 MR CHASKALSON SC: But normally if
 20 someone like Colonel Scott gives you a gridded map like
 21 this, are you able to follow where you're supposed to be?

22 GENERAL NAIDOO: Chair, on face value it
 23 looks straightforward, yes.

24 MR CHASKALSON SC: And just to get back
 25 to a point you were touching on yesterday, you had

Page 23410

1 Lieutenant-Colonel Gaffley's cell phone number with you on
 2 the back of your map.

3 GENERAL NAIDOO: That's correct, Chair.

4 MR CHASKALSON SC: But you didn't think
 5 it would be appropriate when you needed an assessment to
 6 give him a call when he was on the scene at scene 3 and you
 7 could see his vehicle?

8 GENERAL NAIDOO: Chair, I think I already
 9 testified to that effect yesterday, that Colonel Gaffley
 10 was not at the point where I presumed or assumed that the
 11 shooting was coming from. It was coming from the lines of
 12 the NIU. That was a question and I did respond to that
 13 yesterday.

14 MR CHASKALSON SC: Then let's get back to
 15 your movements after you turned around. You turn around
 16 and you come back to the intersection at the main road.

17 GENERAL NAIDOO: That's correct, Chair.

18 MR CHASKALSON SC: And you reach that
 19 intersection, the ignition goes on at 15:53:48 and by 15:54
 20 you've reached the intersection according to the AvL
 21 records.

22 GENERAL NAIDOO: That's according to the
 23 records.

24 MR CHASKALSON SC: And then your vehicle
 25 was in a stationary position for two minutes, 15:54 to

Page 23411

1 15:56.
 2 GENERAL NAIDOO: Yes, Chair.
 3 MR CHASKALSON SC: Were you still at the
 4 head of the convoy at this point?
 5 GENERAL NAIDOO: Chair, I did indicate
 6 that that turnaround of the convoy that had to do a U-turn
 7 did cause some confusion and it took us some time, a few
 8 minutes to reorganise ourselves because the vehicles could
 9 only turn about one at a time because the place was narrow.
 10 MR CHASKALSON SC: But Major-General, I
 11 would've thought that if you were trying to create space
 12 for a problem of turning around, you wouldn't stay at the
 13 intersection, you would move off in the direction where you
 14 wanted to go so that vehicles behind you could get out of
 15 the way and come behind you and stop cluttering up the area
 16 where people had to turn around, would you? Do you not
 17 think that would be logical?
 18 GENERAL NAIDOO: Chair, it might be a
 19 logical presumption but as I indicated that the delay was
 20 for the convoy to reorganise themselves, those who were
 21 turning on the road and once everybody was turned around,
 22 we moved off.
 23 MR CHASKALSON SC: But you'll accept,
 24 won't you, that at the point at which you came down from
 25 the little power station back towards the main road you

Page 23412

1 could now choose to go either left or right.
 2 GENERAL NAIDOO: That is correct, Chair.
 3 MR CHASKALSON SC: So if we go back to
 4 MMM5, if we can call up MMM5 – sorry, Chairperson, we have
 5 a technical difficulty today.
 6 CHAIRPERSON: Are these technical
 7 difficulties going to be solved because all we have on the
 8 screen at the moment is a block in which are the words “no
 9 signal”.
 10 MR CHASKALSON SC: Chairperson, the
 11 problem is that there's only one machine that can use
 12 Google Earth apparently, so we can't switch between the
 13 MMM5 and the Google Earth. I'm just making a new copy of
 14 MMM5.
 15 CHAIRPERSON: And do you want – I
 16 hesitate to adjourn and waste time but you are going to do
 17 this quite quickly, are you?
 18 MR CHASKALSON SC: Yes, it will be done
 19 in a minute, less than a minute. So Major-General, at the
 20 point at which you come back to the main road where you're
 21 now at the intersection in block 6 – sorry, G8, G8 – you
 22 have at your disposal one, two, three, four, five of the
 23 alternative routes that are available to you on MMM5, all
 24 of which will take you out at the koppie on the right side
 25 of the barbed wire, do you accept that?

Page 23413

1 GENERAL NAIDOO: The proposals you made
 2 originally, yes.
 3 MR CHASKALSON SC: Now, can I ask you why
 4 you didn't choose at that point to go to scene 1 along what
 5 is the ordinary road to scene 1, the main road, back to
 6 forward holding area 1, back up along the blue arrows
 7 towards Nkaneng, round Nkaneng and to the scene? That's
 8 what one can describe as the ordinary route if one were to
 9 go to scene 1. Why didn't you choose that?
 10 GENERAL NAIDOO: Chair, a twofold reason.
 11 One, as I indicated, our intention was to, as quickly as
 12 possible, get to the scene. The second one is, on the map
 13 that I have indicated that we used it was indicated to us
 14 at the immediate response area, the reason that the
 15 immediate response area was chosen is because at the
 16 immediate response area there's a direct route to what was
 17 now scene 1. That is why it was chosen as the insertion
 18 point. So that's the reason we did not go in what we
 19 perceived to be a longer route.
 20 MR CHASKALSON SC: But two questions,
 21 Major-General, had you any previous experience of getting
 22 from forward holding area 1 to the koppies, to the area of
 23 scene 1?
 24 GENERAL NAIDOO: Chair, I think I've
 25 already indicated, no.

Page 23414

1 MR CHASKALSON SC: At forward holding
 2 area 1 you had responsibility for, as it were, not
 3 escorting but being the boom gate through which people
 4 passed to get to the koppies, is that not correct?
 5 GENERAL NAIDOO: That is correct, Chair.
 6 MR CHASKALSON SC: And in which route did
 7 those people pass you when they went to the koppies?
 8 GENERAL NAIDOO: Chair, our police
 9 vehicles normally went along the road that we were parked
 10 on and at what we now know as the immediate response area
 11 they turned into the forward holding area – that was
 12 normally. There were vehicles that also went along the
 13 Nkaneng township but the normal route was the one that I
 14 indicated we were on.
 15 MR CHASKALSON SC: Well, the normal route
 16 and the direct route that the police vehicles would have
 17 taken is the yellow route. Do you agree with that?
 18 GENERAL NAIDOO: I would assume so. I
 19 don't know that for a fact but it was indicated to us it
 20 was alongside the power station.
 21 MR CHASKALSON SC: Why didn't you take
 22 that route?
 23 GENERAL NAIDOO: Chair, I think I've
 24 already indicated that was the route that we thought we
 25 were taking initially and that was the route that we – that

Page 23415

1 was why we came to this dead-end and we turned around. We
 2 were obviously looking for that road. We did not presume
 3 because this was on a, used on such a continuous basis,
 4 that we won't be able to locate it, as had happened.
 5 MR CHASKALSON SC: Are you saying now
 6 that you were unable to identify the road in front of the
 7 big substation now?
 8 GENERAL NAIDOO: No, Chair. What I'm
 9 indicating is, when we turned right off the road we assumed
 10 we were in that route that was indicated in yellow on the
 11 screen now.
 12 MR CHASKALSON SC: No, Major-General, you
 13 couldn't have – you can't have it both ways. If you
 14 thought that you were at immediate response area 1 even at
 15 that stage, what were you doing turning right? You were
 16 then, if you look at the map, driving directly away from
 17 the scene. If you thought that you were here and you
 18 thought you were coming here and you turned right and drove
 19 for –
 20 CHAIRPERSON: Would you put the two
 21 "here's" on record, please?
 22 MR CHASKALSON SC: The first here, if you
 23 thought that you were at the intersection at C8 and you
 24 were going to turn right and drive for close to a
 25 kilometre, you would essentially be driving away from the

Page 23416

1 scene.
 2 GENERAL NAIDOO: Chair, let me clarify
 3 that. We were at G, at the top end of G8. We had to, we
 4 went down the road that's on G7. We turned around because
 5 we had assumed that that road on G7 and 8 was the road
 6 that's indicated in yellow arrows. When we turned around,
 7 obviously realising that something was wrong, we turned
 8 right intending to find the route, having an understanding
 9 of where koppie 1, trying to find the route to go to koppie
 10 1.
 11 MR CHASKALSON SC: Now, Major-General,
 12 how did you avoid the three routes, the four routes that
 13 you crossed en route before you decided to go around the
 14 outside of the power station, the big power station?
 15 GENERAL NAIDOO: Chair –
 16 MR CHASKALSON SC: How did you miss them?
 17 GENERAL NAIDOO: Chair, I think I have
 18 testified to this on Monday. I was not in any way familiar
 19 with that area, which is why I brought a driver from the
 20 Rustenburg area to drive and obviously I would depend on
 21 him taking – because we both had the understanding of where
 22 we had to go, so he would take me where we wanted to go.
 23 MR CHASKALSON SC: This driver had
 24 already, on your version, taken you down a blind alley in
 25 the mistaken belief that he was taking you on the yellow

Page 23417

1 route. You still retained trust in him.
 2 GENERAL NAIDOO: Chair, whilst we are in,
 3 at that moment engaged in this, it's hard now to say I
 4 don't trust you. I mean he might have made errors and he's
 5 human, he is fallible but it's not that to say I lost trust
 6 in him.
 7 MR CHASKALSON SC: Did you not just look
 8 up and see what paths other people in vehicles were taking
 9 to and from the koppie?
 10 GENERAL NAIDOO: Chair, there were no
 11 other vehicles going to and from the koppie at that stage,
 12 it was just my convoy.
 13 MR CHASKALSON SC: Major-General, that's
 14 actually not correct. We'll show you a photograph which
 15 shows your convoy pass – we'll show you video footage that
 16 shows your convoy passing the FLIR camera at the same time
 17 as a vehicle is coming down, I can't remember whether it's
 18 the red route or the green route at the same time. Would
 19 you like to see that footage?
 20 GENERAL NAIDOO: Chair, I think we
 21 already saw the stills on that and I have already testified
 22 to the fact that I have not seen that convoy that was
 23 coming apparently towards my convoy. That was already
 24 testified to on Monday.
 25 [12:18] MR CHASKALSON SC: No, this is different

Page 23418

1 footage, Major-General. This is footage of your convoy
 2 having turned right from the intersection at G8 heading,
 3 for reasons which are not altogether clear, in a westerly
 4 direction, possibly to try to pick up, well, to pick up one
 5 of these routes and at the same time as it heads in this
 6 direction there is a vehicle either on the purple route or
 7 the red route, I'll look at my note and confirm to you,
 8 clearly moving away from the koppie along one of those
 9 routes. Would you like to see that footage?
 10 GENERAL NAIDOO: Chair, if it's necessary
 11 but what I am testifying is I did not see the vehicle.
 12 CHAIRPERSON: Well, that suggestion,
 13 we'll see the footage in a moment and we will then be able
 14 to form an opinion as to whether, regard being had to where
 15 your vehicle was, where the convoy was and where the other
 16 convoy was, whether the witness can be accepted that you
 17 didn't see. But before we get there, can I just ask you
 18 this, I understood you to say that the information you've
 19 been given was that the path or the road you were to follow
 20 to koppie 1 was a road that went along the side of the
 21 power station.
 22 GENERAL NAIDOO: That's correct, Chair.
 23 CHAIRPERSON: Alright. Now we know that
 24 you turned off, on your version, you turned to the right,
 25 you went down a path along the side of a small power

Page 23419

1 station.

2 GENERAL NAIDOO: That's right.

3 CHAIRPERSON: Well obviously a wrong road

4 because you couldn't get through, you had to turn round,

5 right?

6 GENERAL NAIDOO: I have acceded to that,

7 Chair.

8 CHAIRPERSON: Now why didn't you then

9 look at your map and say, ah, we obviously turned right at

10 the wrong power station. If the directions are you can get

11 to koppie 1 from where you are by going along the main

12 road, turning right at the power station and going along

13 the road next to the power station, why didn't you then

14 say, it was obvious what happened, we turned right at the

15 wrong power station. There's another power station ahead,

16 one can see, I think from this photograph that the road

17 which you could have followed to the right along that side

18 of the power station was visible. So why didn't you, when

19 you came to the next power station say, ah, this must be

20 the right road, let's turn here and follow the instructions

21 we received, but correctly by going along the correct road

22 by the side of the correct power station? You didn't do

23 that, did you, why not?

24 GENERAL NAIDOO: Chair, yes, that was

25 actually what I presume we were doing but obviously once

Page 23420

1 again we went left instead of right, yes.

2 COMMISSIONER HEMRAJ: Can I just ask you,

3 General, you testified that you hadn't done a recon of this

4 area.

5 GENERAL NAIDOO: Never.

6 COMMISSIONER HEMRAJ: So when you first

7 turned right at the sub-station, you didn't know that that

8 road would practically be a dead-end for the convoy?

9 GENERAL NAIDOO: That's correct, Chair.

10 COMMISSIONER HEMRAJ: Now having done

11 that and having gotten back onto the main road, did you

12 have a discussion with the driver of your vehicle as to

13 which direction to take or did you just simply leave it to

14 him to get you there?

15 GENERAL NAIDOO: Well no, I was urging

16 him to go and get us to this place. We didn't say go left

17 or go right because obviously at that stage we used where

18 koppie 1 as a landmark to orientate ourselves to where we

19 wanted to go. So turning right would obviously bring us

20 closer to koppie 1. So our orientation was based as to

21 where our understanding of koppie 1 was.

22 COMMISSIONER HEMRAJ: But was there a

23 discussion between you and the Lieutenant-Colonel driving

24 the vehicle as to which route to take or did you really

25 depend on him to find the way?

Page 23421

1 GENERAL NAIDOO: Chair, yes, we'd, well I

2 was frustrated when we came to the dead-end, you know, I

3 asked him now what happened so he said, no, we seem to have

4 made a miscalculation and we need to turn around and that's

5 why we turned and he said it should be on the right, so I

6 said, okay, go right and that's how we went. So it was not

7 a detail but I was trying to understand where we were

8 because as I said I took a driver from Rustenburg because I

9 had not been in that area at all.

10 COMMISSIONER HEMRAJ: Yes, thank you

11 General.

12 MR CHASKALSON SC: But Major-General

13 earlier when I asked you, you said that you had instructed

14 that driver to turn at the sub-station, was that not

15 correct?

16 GENERAL NAIDOO: That is correct, Chair.

17 That's based on the assumption we were at the place I

18 indicated we were at the - area, 1, and the instructions

19 that we were given that if you turn right at the power

20 station and you go straight down that road you will get to

21 what is now known as scene 1.

22 MR CHASKALSON SC: So you knew that you

23 had to turn right at a sub-station and you instructed the

24 driver to turn right at a sub-station, at the sub-station,

25 the first sub-station.

Page 23422

1 GENERAL NAIDOO: What we assumed to be

2 the power station, yes Chair.

3 MR CHASKALSON SC: So when you realised

4 that it wasn't the correct sub-station, did you not look at

5 your map and see clearly there's a little sub-station

6 beforehand, that's where we are, we must turn right at the

7 correct sub-station?

8 GENERAL NAIDOO: Chair, that is why we

9 turned right to try and correct the error.

10 MR CHASKALSON SC: But you didn't turn

11 right at the front of the correct sub-station, you drove

12 straight past that intersection?

13 GENERAL NAIDOO: Chair, we've accepted

14 that as a fact, yes.

15 MR CHASKALSON SC: But how did that

16 happen? You knew you had to turn right this side of the

17 sub-station, you knew that the east side of the sub-

18 station, you knew that was the way to the koppie, how could

19 you miss the turning?

20 GENERAL NAIDOO: Chair, I cannot

21 specifically recall but as I said when we turned, I assumed

22 we were going once again to where the yellow arrows were.

23 MR CHASKALSON SC: But Major-General, by

24 the time that you turned, we've done part of this exercise

25 already, remember when I said to you that we estimated the

Page 23423

1 distance on four seconds into CC24's being 65 metres to the
 2 turn-off?
 3 GENERAL NAIDOO: Yes.
 4 MR CHASKALSON SC: That point, that image
 5 that one sees at CC22, the point of the convoy is already
 6 well past the turning to the right, so the turning to the
 7 right at the start of the new sub-station is approximately
 8 100 metres, maybe more from the turning that you ultimately
 9 took. And you knew you had to be on the east side of the
 10 sub-station, is that correct?
 11 GENERAL NAIDOO: Before the power
 12 station, yes.
 13 MR CHASKALSON SC: Now you drove for
 14 approximately 100 metres with the sub-station on your right
 15 hand side –
 16 CHAIRPERSON: So let's just get, what's
 17 the answer to the point, Mr Chaskalson?
 18 MR CHASKALSON SC: Can I put the question
 19 more accurately because I sold the question short by 66%?
 20 If one goes to Google earth and measures the distance
 21 between the correct turn-off on the yellow route at block
 22 C8 and the turn-off that you took in the line between A8
 23 and B8 it's over 300 metres. Now you have on your version,
 24 driven for 300 metres with the power station looming large
 25 on your right hand side without realising that you have

Page 23424

1 passed it, how can that be?
 2 GENERAL NAIDOO: Chair, other than saying
 3 that the road that we took was more prominent and
 4 noticeable because it was, what's the word, levelled,
 5 etcetera, I can't really indicate how we've missed that
 6 road and our intention was to go, as I indicated, on the
 7 route before the power station not after the power station,
 8 but it's quite prominent the, even on the map that we have,
 9 which I have handed in, the other route which is now being
 10 shown on the screen, that road and the side is not as
 11 prominent, so that's where we were heading to take the turn
 12 right.
 13 MR CHASKALSON SC: Major-General, maybe
 14 this is something that we'll have to do at an inspection in
 15 loco, but even if you go onto Google earth street view, you
 16 can see an intersection at –
 17 CHAIRPERSON: We're back to no signal.
 18 Oh there we are, now we've got a signal again and now we're
 19 back in business. Yes, carry on.
 20 MR CHASKALSON SC: This is a Google
 21 earth, maybe we need to print this out and turn it into an
 22 exhibit, Chairperson, and we can do it a little closer to
 23 the intersection, but this is a Google earth intersection –
 24 CHAIRPERSON: Do you want me to mark it
 25 in anticipation –

Page 23425

1 MR CHASKALSON SC: Can we do that, Mr
 2 Chairperson?
 3 CHAIRPERSON: MMM12 is what?
 4 MR CHASKALSON SC: Google earth street
 5 view of the intersection which Major-General Naidoo missed.
 6 CHAIRPERSON: He missed a number of
 7 intersections, we've got to describe it more accurately.
 8 Google earth street view of intersection on eastern side of
 9 large power station, is that right? Widely.
 10 COMMISSIONER HEMRAJ: Widely.
 11 CHAIRPERSON: Google earth street view of
 12 intersection on its eastern side of large power station, is
 13 that right?
 14 GENERAL NAIDOO: Chair, I think it's
 15 southern side.
 16 CHAIRPERSON: Sorry?
 17 GENERAL NAIDOO: Is it not the southern
 18 side?
 19 CHAIRPERSON: We're travelling from east,
 20 north -
 21 GENERAL NAIDOO: Oh you mean the
 22 direction?
 23 CHAIRPERSON: You were travelling east to
 24 west.
 25 GENERAL NAIDOO: That's correct.

Page 23426

1 CHAIRPERSON: So the route that Mr
 2 Chaskalson is suggesting you should have followed was on
 3 the eastern side, possibly south eastern but we won't get
 4 back in to engage this. The eastern side of the power
 5 station versus the western side. So the accurate
 6 description that Google earth feed-through of intersection
 7 on eastern side of large power station.
 8 MR CHASKALSON SC: Chairperson, there
 9 seems to be a dispute between SAPS and ourselves over this
 10 image and I don't want to put the image until I –
 11 CHAIRPERSON: I wasn't – in the image
 12 being exhibited, what you want to show is a Google earth, I
 13 want to make sure my description is correct, a Google earth
 14 street view of intersection on eastern side of large power
 15 station. You haven't shown it yet because it's suggested
 16 that what was on the screen wasn't the right picture. But
 17 presumably the right picture can eventually be obtained,
 18 and I've already in anticipation given it an exhibit number
 19 and described it. Does that make you happy, Mr Semenya?
 20 MR SEMENYA SC: I am muted here. Okay, I
 21 found my voice. I was muted. This wouldn't work. I found
 22 my voice now.
 23 CHAIRPERSON: Good.
 24 MR SEMENYA SC: Chair, I'll be
 25 comfortable to say that is what the evidence leaders

Page 23427

1 contend is a depiction of. If I come to the conclusion
 2 it's different, I'll deal with it in re-examination.
 3 CHAIRPERSON: That sounds a sensible
 4 practical suggestion. Thank you, Mr Semenya. Mr Ntsebeza,
 5 do you want to contribute to this explanation, or have you
 6 turned your light on by mistake?
 7 MR NTSEBEZA: No, I'm finding my feet.
 8 Whilst others are finding their voice I'm trying to find my
 9 feet, just to understand what's going on. But I'll get
 10 there, Mr Chairman.
 11 CHAIRPERSON: Alright. I know people
 12 normally find their feet when they're sitting down but I
 13 know what you mean. Right, shall be carry on in the
 14 meanwhile, and not spend any more time on –
 15 MR CHASKALSON SC: So if we can then on
 16 that basis put the image, we will.
 17 CHAIRPERSON: Alright. But what the
 18 witness says, as I understand it, was he thought that the
 19 road they went down was clearer than the road they didn't
 20 go down and he can't explain why they didn't go down the
 21 one that was less clearer. Is that the summary of your
 22 evidence, Major-General?
 23 GENERAL NAIDOO: Chair, I said that on
 24 the map that we were given there's obvious which road is
 25 clearer. I can't really say why we missed the first turn

Page 23428

1 and the second turn but our assumption was we were going to
 2 what was indicated as the insertion point.
 3 CHAIRPERSON: Judging by what's written
 4 at the bottom of this image, this is the work of the US
 5 Department of State geographer who has now succeeded in
 6 finding for us, or showing us the first turn to the right,
 7 and then presumably we will proceed down the road and come
 8 to the second one. It is fairly clear, I must say, but
 9 let's go on and see how much clearer the other one is.
 10 MR CHASKALSON SC: But Chairperson, if we
 11 can stop at this point and ask Major-General Naidoo if he
 12 contends that this was not a clear enough indication for
 13 him of a road that he should be taking?
 14 CHAIRPERSON: Ask the question. What's
 15 your answer to that, Major?
 16 GENERAL NAIDOO: Chair, at this stage I
 17 can't really say, you know, if I do remember this turn or
 18 that turn. I already indicated I was not driving here.
 19 Maybe if I was driving I would have paid more attention to
 20 which turn to turn off.
 21 CHAIRPERSON: You've basically, you said
 22 you can't explain this?
 23 GENERAL NAIDOO: That's right, I did.
 24 CHAIRPERSON: That's, Mr Chaskalson
 25 should surely be content with that answer, shouldn't he?

Page 23429

1 GENERAL NAIDOO: Apparently he's not,
 2 Chair.
 3 CHAIRPERSON: He should be. Alright, Mr
 4 Chaskalson, shall we move on?
 5 MR CHASKALSON SC: Let's move on,
 6 Chairperson. It may also be a fruitful place to visit when
 7 the inspection in loco takes place. We can leave Google
 8 earth at this point. Let's go back to MMM9A. You've now
 9 missed the turn that you should have taken and you've
 10 reached the turn that you didn't intend to take. That's
 11 15:57:25, you accept that, CTrack time?
 12 GENERAL NAIDOO: Correct, Chair.
 13 MR CHASKALSON SC: You drive up to the
 14 power station and you turn left when you hit the power
 15 station, reaching a point to the left of the power station
 16 at 15:58:05.
 17 GENERAL NAIDOO: That is correct, Chair.
 18 MR CHASKALSON SC: Surely at this point
 19 you realise you have gone wrong?
 20 GENERAL NAIDOO: Yes Chair, we obviously
 21 realised we had passed the, what we know as koppie 1.
 22 MR CHASKALSON SC: Well it's not
 23 necessarily the issue of whether you passed the koppie
 24 known as koppie 1, the issue is whether you were on the
 25 wrong side of the power station. You wanted to be on the

Page 23430

1 east side of the power station. You were now on the west
 2 side of the power station.
 3 GENERAL NAIDOO: That is also correct,
 4 Chair.
 5 MR CHASKALSON SC: So what did you do
 6 about it?
 7 GENERAL NAIDOO: Chair, that's where I
 8 indicated that we had stopped to assess where we were and
 9 an indication from our driver, look, this turn that we go
 10 right, go straight down to where we intended to go. That
 11 was also where I indicated that we, the first time started
 12 hearing the shooting that was taking place in the distance.
 13 MR CHASKALSON SC: So Major-General, you
 14 say it was at this point that you heard the shooting?
 15 GENERAL NAIDOO: That is correct, the
 16 first shooting.
 17 MR CHASKALSON SC: You see Major-General,
 18 I'm afraid you couldn't have heard shooting at that point
 19 because –
 20 CHAIRPERSON: I'm sorry to interrupt you,
 21 Mr Chaskalson, you said at this point, I don't know that
 22 those hypothetical readers of this record in years to come
 23 will know what at this point means, so you'd better put it
 24 in words.
 25 MR CHASKALSON SC: 15:58:05 to 16:02:05.

Page 23431

1 CHAIRPERSON: This is the point where the
 2 vehicle in which the witness was being conveyed appears to
 3 have stopped and idled for four minutes for the first time
 4 and thereafter it apparently proceeded up along the line of
 5 the power station on the western side, and the top corner
 6 of the section over which it had gone, it then stopped and
 7 idled for another four minutes, so this is the first four-
 8 minute idling period that you're talking about, is that
 9 right?
 10 MR CHASKALSON SC: That's correct,
 11 Chairperson. You see at that point, 16:02:05, the end of
 12 those four minutes of idling, that gives you an ETV time of
 13 16:02:25. Now at 16:02:25 we had Brigadier Calitz'
 14 reorganisation line, stationery in part of his seven-minute
 15 plus stay in front of koppie 2 with the protesters lined up
 16 behind koppie 2 and nothing going on, there was no
 17 shooting. No one has ever suggested there was any shooting
 18 at that time. No one was near koppie 3, so you couldn't
 19 have heard shooting at that time.
 20 CHAIRPERSON: This is the time Brigadier
 21 Calitz was near the dried river bed, is that so, the dried
 22 river bed?
 23 MR CHASKALSON SC: Well it's where he had
 24 reorganised, maybe if we can pick up the photograph to just
 25 demonstrate it.

Page 23432

1 CHAIRPERSON: Anyway the answer is
 2 probably yes, we just carry on. Then you're now proceeding
 3 to put something to the witness. After that period of no
 4 shooting and near the dry river bed, I think it was,
 5 reorganisation point, you say the strikers hadn't gone to
 6 koppie 3 yet?
 7 MR CHASKALSON SC: The bulk of the
 8 strikers were still in that line behind koppie 2. There
 9 were no SAPS vehicles in the vicinity of koppie 3, they
 10 were all lined up where the hand is, in front of koppie 2.
 11 The hand won't be there for posterity.
 12 CHAIRPERSON: I don't think that hand is
 13 a permanent hand, so you'd better find a more permanent
 14 fixed point. The hand is not a fixed point at all.
 15 MR CHASKALSON SC: The hand is a little
 16 bit above the double F at the end of ignition off at
 17 16:12:35.
 18 [12:38] CHAIRPERSON: The hand, in fact, is in
 19 line with the O, the spot between the O and the F of "off"
 20 and it's some distance north, some distance above it on the
 21 other side of the clearly demarcated path which runs down
 22 just below it from top right to bottom left on the screen.
 23 MR CHASKALSON SC: Chairperson, I
 24 suddenly realised this is going to make it even more
 25 confusing for readers of the record because they will not

Page 23433

1 be zoomed in like we are and they'll be looking at MMM9A.
 2 CHAIRPERSON: Perhaps they can use
 3 magnifying glasses.
 4 MR CHASKALSON SC: No, but the lettering
 5 in, because we are on zoomed in, the lettering on MMM9A
 6 finishes way to the left of koppie 2. So going above the
 7 "ff" on MMM9A won't take you anywhere near there.
 8 CHAIRPERSON: You'd better, as Mr Mpofu
 9 is fond of saying, take a step back and start again.
 10 MR CHASKALSON SC: On MMM5 it would be
 11 C3, says Mr Pretorius. Maybe that's a way of letting
 12 future readers of the record know what we're referring to.
 13 For our purposes we can indicate it on the magnified map
 14 that we see now. So if there wasn't any shooting, what was
 15 your convoy doing idling for four minutes when you were
 16 supposed to be getting to scene 1 –
 17 CHAIRPERSON: You're talking now about
 18 the first idling, the first –
 19 MR CHASKALSON SC: The first period of
 20 idling for four minutes.
 21 CHAIRPERSON: That four minutes' idling
 22 period.
 23 GENERAL NAIDOO: Chair, as I indicated,
 24 at some stage we did realise that we were on the wrong side
 25 and we did try to assess, okay, where we were. I did

Page 23434

1 indicate that the road was shown to me as being the direct
 2 route. I also had sight of what we now know as koppie 1,
 3 so we were doing that self-assessment initially and as I
 4 indicated and in my statement, subsequent to that we also
 5 heard the shooting. That was, as I indicated, as we came
 6 around the power station. So I'm not going to tell you
 7 that the first point or the second point is the actual
 8 point where we heard the shooting but in line with my
 9 statement, I said as we came around we heard the shooting
 10 and that's where I indicated to the bulk of the K9 unit
 11 with the medics to stay back whilst we assess what the
 12 reason for the shooting was.
 13 MR CHASKALSON SC: So although you were
 14 supposed to be getting emergency personnel to scene 1 on an
 15 urgent basis, you spent four minutes trying to work out
 16 where you were between 15:58:05 and 16:02:05, is that what
 17 you're saying?
 18 GENERAL NAIDOO: Chair, I did indicate
 19 that we were trying to orientate ourselves because
 20 obviously we were where we did not want to be.
 21 MR CHASKALSON SC: Major-General, was
 22 there no-one in your party who knew the most direct or the
 23 simplest if not the most direct route to koppie 1?
 24 GENERAL NAIDOO: Chair, nobody
 25 volunteered at that stage, you know, to tell us, look,

<p style="text-align: right;">Page 23435</p> <p>1 you're going wrong this way or that way obviously, so I was 2 in the hands of my driver in terms of that. 3 MR CHASKALSON SC: But you knew two 4 pieces of information and the one was that you knew that 5 some people who you had let through in the direction of 6 koppie 1 in your boom gate capacity had approached koppie 1 7 along the main road to Nkaneng, you knew that. 8 GENERAL NAIDOO: Yes, Chair. 9 MR CHASKALSON SC: You also knew that the 10 chosen SAPS route which you'd been told was the most direct 11 route, was on the east side of the substation almost 12 against its fence. 13 GENERAL NAIDOO: Chair, yes, and that's 14 what I indicated our intention was. 15 MR CHASKALSON SC: But if you wanted to 16 get to the east side of the substation why didn't you turn 17 around and go to the east side of the substation? I mean 18 presumably somebody within your party was capable of 19 looking at the sun and working out where north was. 20 GENERAL NAIDOO: Chair, I'm not sure 21 about that but as I indicated, where we ended up there was 22 now a road going right, directly in the direction of koppie 23 1. So as I testified previously on Monday, we assumed that 24 it would be logical to take the route that we saw that was 25 going to koppie 1 and if you remember, Chair, we also had</p>	<p style="text-align: right;">Page 23437</p> <p>1 spoke on the other annexure on Monday would be somewhere 2 along that rectangle between the one that says 15:58:05 and 3 the one that says 16:03:05. 4 CHAIRPERSON: Oh, in other words it's 5 between the first four minute idling spot – 6 GENERAL NAIDOO: Somewhere there, it was 7 a convoy – 8 CHAIRPERSON: - and the second four 9 minute idling spot. 10 GENERAL NAIDOO: That's correct. 11 CHAIRPERSON: Is that right? 12 GENERAL NAIDOO: That's right. 13 CHAIRPERSON: So effectively along the 14 western side of the power station between those two idling 15 points? 16 GENERAL NAIDOO: That's right, Chair. I 17 did indicate that they were at the side of the power 18 station. 19 MR CHASKALSON SC: Now if they were in 20 that position there was still a direct line, potentially 21 direct line of fire to them from the koppie, was there not, 22 koppie 3? 23 GENERAL NAIDOO: Not necessarily 24 potentially direct but possibly indirect. As I indicated, 25 it was a convoy that was going backwards and maybe the</p>
<p style="text-align: right;">Page 23436</p> <p>1 the discussion if you go down that route you're going to 2 come against the barbed wire. So yes, the decision was 3 based on the fact, logically where we stood we could see 4 where koppie 1 was and our intention was to get to scene 1, 5 which we used koppie 1 as a landmark. 6 MR CHASKALSON SC: Let's move on along 7 your route. You then, after your four minute sojourn in 8 the bottom left-hand corner of the power station, reach the 9 marker that says 16:03:05 to 16:07:05, another four minute 10 delay. What's your explanation for this one? 11 GENERAL NAIDOO: Chair, during my 12 statement, testimony, I did indicate at some stage I 13 realised that we would have to leave some of the vehicles 14 behind. I indicated the issue of shooting, which prompted 15 us to go where we went and I would assume that that 16 particular time was that reorganisation where five vehicles 17 eventually went to the point where we finally held. 18 CHAIRPERSON: Can you tell us on the 19 screen where you left the paramedics and the vehicles that 20 they were in? 21 GENERAL NAIDOO: Chair, they were not 22 fully out of, they were still in the precincts of the power 23 station. When I say precincts, the area around the power 24 station. As I indicated it was a convoy, so somewhere 25 between, on the first rectangle. My assumption when I</p>	<p style="text-align: right;">Page 23438</p> <p>1 first vehicle, which were all police vehicles, yes. 2 MR CHASKALSON SC: So the police vehicles 3 would still be in the line of fire or potentially in the 4 line of fire from koppie 3 but they would shield the 5 ambulances. 6 GENERAL NAIDOO: Potentially, yes. 7 CHAIRPERSON: I'm sorry, there's one 8 point that's not clear to me because I don't think you put 9 it clearly. At what point were you when you heard shooting 10 at koppie 3 for the first time? Were you already at the 11 second four minute idling spot or had you not reached it 12 yet or had you been there for some time or what was the 13 position? 14 GENERAL NAIDOO: Chair, as I said, when 15 we came around it and we were orientating ourselves to 16 where we were, then we heard the shooting on the right. 17 Had we not heard the shooting on our right, we would have 18 proceeded right down that road where we would have tried to 19 get to scene 1 and koppie 1. We would have not went left, 20 for all intents and purposes – 21 CHAIRPERSON: I'm sorry, Major-General, 22 you haven't answered my question. 23 GENERAL NAIDOO: Yes. 24 CHAIRPERSON: I think I probably didn't 25 put it clearly enough. Were you still at the first four</p>

Page 23439

1 minute idling spot when you heard the firing or were you
 2 between the first four minute idling spot and the second
 3 idling spot or were you already at the second four minute
 4 idling spot when you heard the shooting. You understand
 5 the question?
 6 GENERAL NAIDOO: I understand the
 7 question. I'm just trying to orientate myself. It's not
 8 really clearly visible but, Chair, what I could say is
 9 possibly in between because we had reached the road at that
 10 time when we heard the shooting – my vehicle anyway had
 11 reached the road.
 12 CHAIRPERSON: So you hadn't yet got to
 13 the second four minute idling spot?
 14 GENERAL NAIDOO: I'm not sure but the
 15 second four minute idling spot would be on the road.
 16 CHAIRPERSON: Yes, I understand that.
 17 GENERAL NAIDOO: Yes, so whether I was
 18 there already or moving, I can't testify to that, but yes.
 19 CHAIRPERSON: Thank you.
 20 MR CHASKALSON SC: But Major-General, if
 21 you only heard the shooting when your vehicle was on the
 22 road, why did you first answer me, why did you first
 23 explain to me the initial four minute idle as being a
 24 response to shooting that you heard?
 25 GENERAL NAIDOO: Chair, I think I've

Page 23440

1 already indicated that I was trying to orientate myself.
 2 It's still not clearly visible but I know I was on the road
 3 at that time when I heard the shooting, just in order to
 4 give guidance as to which, which spot would be the probable
 5 area I heard the shooting when I was at –
 6 COMMISSIONER HEMRAJ: There's one minute
 7 difference between the end of the first idling and the
 8 start of the second idling period.
 9 GENERAL NAIDOO: That's possible then,
 10 ja, we moved forward and then we stopped again.
 11 MR CHASKALSON SC: Now Major-General, do
 12 you remember how Lonmin you idled after you heard the
 13 shooting or did you hear the shooting at the start of the
 14 idling period, at the end of the idling period?
 15 GENERAL NAIDOO: Chair, I can't remember
 16 on that aspect of it obviously –
 17 CHAIRPERSON: Is it – I just want to make
 18 sure I understand your evidence. What you say is, it seems
 19 to me you can't remember precisely so what I understand you
 20 to be saying is you heard the shooting either during that
 21 minute which Adv Hemraj just referred you to between the
 22 end of the first idling period and the beginning of the
 23 second idling period while you were travelling from the one
 24 idling spot to the other, or it was after you'd arrived at
 25 the second idling spot during that four minute idling

Page 23441

1 period. Are those the two possibilities and you're not
 2 sure which is correct or have I misunderstood?
 3 GENERAL NAIDOO: Chair, as I indicated,
 4 we came around, we orientated ourselves and obviously the
 5 decision was now we're going to go right and just as we got
 6 onto the road and we started trying to make that
 7 arrangement, we heard the shooting. I then asked the main
 8 convoy to hold back. So yes, it's probably you know, as we
 9 were moving we probably heard it to the time we came to a
 10 standstill.
 11 CHAIRPERSON: So what you are saying to
 12 me, again if I understand you correctly, is it was
 13 essentially, if one – these, we can rely on these times,
 14 between 16:02:05 and 16:03:05, it was during that minute
 15 while you were on the road from the first idling spot to
 16 the second?
 17 GENERAL NAIDOO: Probably, Chair.
 18 MR CHASKALSON SC: Well, could it have
 19 been after the second idling spot? Could there have been
 20 any reason for you to idle a second time if you'd not heard
 21 gunfire?
 22 GENERAL NAIDOO: Chair, the only reason –
 23 yes, something would have stopped us. The one thing was,
 24 you know, we were not moving fast, we were slowly moving
 25 forward because obviously the convoy was following us and I

Page 23442

1 can't think of anything else that would have probably made
 2 us start idling other than an assessment of something that
 3 occurred in front of us.
 4 MR CHASKALSON SC: So you're fairly
 5 confident that the reason for the second idling period was
 6 to reassess your position in the light of shooting at the
 7 koppie?
 8 GENERAL NAIDOO: Chair, as far as my
 9 memory serves me, yes, that possibly is.
 10 MR CHASKALSON SC: You see, Major-
 11 General, it couldn't have been shooting because shooting
 12 still hadn't happened by that point either. If I – the
 13 second idling period starts at 16:03:05. I was going to
 14 zoom in on the exhibit CC22 but because of pixellation
 15 problems I'll just show you some screenshots instead.
 16 Chairperson, can we make these screenshots exhibits? We'll
 17 have to distribute them at a later stage.
 18 CHAIRPERSON: How many screenshots still
 19 to put in?
 20 MR CHASKALSON SC: Just two at this
 21 stage. There will be –
 22 CHAIRPERSON: Shall we make them MMM13.1
 23 and 13.2 or 13 and 14?
 24 MR CHASKALSON SC: Let's make them 13.1
 25 and 13.2 because they describe the same moment in time.

Page 23443

1 CHAIRPERSON: Well, just then 13.1, how
 2 do you describe it?
 3 MR CHASKALSON SC: Screenshot from
 4 exhibit CC22.
 5 CHAIRPERSON: CC22, yes?
 6 MR CHASKALSON SC: At ETV time 16:03:25,
 7 16:03:25.
 8 CHAIRPERSON: That's 13.1 and 13.2, how
 9 do we describe that?
 10 MR CHASKALSON SC: It's second screenshot
 11 -
 12 CHAIRPERSON: Oh, so the first one is
 13 first and the second one is second screenshot from CC22 at
 14 ETV time 16:03:25, is that right? Is that correct?
 15 MR CHASKALSON SC: That is correct and,
 16 Chairperson, the CC22 running time is five minutes and 55
 17 seconds for these screenshots.
 18 CHAIRPERSON: How many?
 19 MR CHASKALSON SC: 55. And Major-
 20 General, again it may be easier for you if you look at the
 21 high resolution screen, what one sees and this on our 20
 22 second correlation between ETV time and CTrack time, is
 23 exactly the moment that the second idling period begins,
 24 what one sees is in the circle is your, is your group of K9
 25 members lined up at the road in the first slide. Still in

Page 23444

1 formation at koppie 2 is Brigadier Calitz's reorganisation
 2 line which I'm circling now, which are the white dots in
 3 the bottom left-hand corner of the screen. In the yellow
 4 circle is your line. The line of miners behind koppie 2
 5 I'm marking now, it's a sort of long black or dark line
 6 stretching back in the direction of koppie 3 from koppie 2.
 7 CHAIRPERSON: Below koppie 2 on the
 8 screen or on -
 9 MR CHASKALSON SC: Above koppie 2 on the
 10 screen. Koppie 2 I'm circling now, koppie 2 is very small.
 11 Koppie 1 is behind koppie 2 and the line of miners is lined
 12 up behind koppie 2.
 13 CHAIRPERSON: Yes, sorry, this is wrong.
 14 So it's actually below, on the screen it's below koppie 1
 15 and it's in the right-hand top corner, as it were, of
 16 koppie 2. Is that correct?
 17 MR CHASKALSON SC: That is correct,
 18 Chairperson. The next slide zooms in a bit more closely on
 19 the Major-General's convoy or grouping because it's no
 20 longer a convoy and the grouping is, most of the grouping
 21 is gather or the position of the grouping is identified in
 22 the red square, the red rectangle. The road that one would
 23 take if one were going to koppie 1 is in the middle of, is
 24 a sort of dark patch, dark line running through the middle
 25 of the red rectangle and one vehicle has already crossed

Page 23445

1 the road. Can you explain, Major-General -
 2 CHAIRPERSON: Sorry, before you get there
 3 let's just get that on record. Am I correct in thinking
 4 that that yellow circle around the vehicles that you've
 5 just referred to is on the western side of what one can
 6 describe looking at MMM9, the western side of the - the
 7 western side of the big power station more or less near the
 8 top? In other words, if one looks at that red block, if
 9 one takes a point about a third of the way along from the
 10 left on the top line of the block and one goes diagonally
 11 up towards the right, it looks as if that's the western
 12 side of the big power station along - which was between the
 13 two four minute idling positions. Is that correct?
 14 [12:58] MR CHASKALSON SC: It is correct,
 15 Chairperson, but I just realised to my embarrassment that
 16 the second slide is another 20 seconds later. What I need
 17 to show you now is a third slide which will show you that
 18 the re-organisation line at koppie 2 is still present 20
 19 seconds later.
 20 CHAIRPERSON: All right, sorry let's
 21 correct the description then of MMM13.2. It's second
 22 screen shot from CC22 at ETV time 16:03:45.
 23 MR CHASKALSON SC: That's correct,
 24 Chairperson.
 25 CHAIRPERSON: And that would be five

Page 23446

1 minutes, it will be six minutes, 15 seconds into the
 2 video. Is that right?
 3 MR CHASKALSON SC: That's correct,
 4 Chairperson.
 5 CHAIRPERSON: Six minutes, 15 seconds and
 6 the previous one MMM13.1 is 5 minutes, 55 seconds into the
 7 video. And now we're going to have another one which is
 8 going to be MMM13.3 and that's going to be the one you
 9 thought was the second one. So that's going to be a third
 10 screen shot and starting from CC22, this one will be at ETV
 11 time ja 16:03:25. That's five minutes -
 12 MR CHASKALSON SC: 16:03:45, no the third
 13 one that I'm showing is the counterpart to the second one.
 14 So it's 16:03:45.
 15 CHAIRPERSON: So it's 45, did I say
 16 something else. 45, no, no that's not right. MMM13.1
 17 according to my notes is screen shot CC22 and ETV time
 18 16:03:25.
 19 MR CHASKALSON SC: That's correct.
 20 That's at the moment that the first idling, that the second
 21 idling begins.
 22 CHAIRPERSON: That's right. 13.2 is 20
 23 seconds later, that's ETV time 16:03:45 and MMM13.3 is
 24 again at 16:03:25, that's the same time as the first one.
 25 MR CHASKALSON SC: No, Chairperson. It's

Page 23447

1 the same time as the second one. It's 20 seconds later.

2 CHAIRPERSON: Oh I see.

3 MR CHASKALSON SC: So it's the

4 counterpart to the second one which is 20 seconds into the

5 second idling period.

6 CHAIRPERSON: So MMM13.1 is sort of self

7 standing as it were.

8 MR CHASKALSON SC: It is.

9 CHAIRPERSON: MMM13.2 and 3 are twins

10 joined at the hip as Mr Mpfu would say.

11 MR CHASKALSON SC: That's correct,

12 Chairperson.

13 CHAIRPERSON: Siamese twins joined at the

14 hip as Mr Mpfu would say. These are Siamese twins

15 screenshots. Does that make Mr Mpfu happy?

16 COMMISSIONER HEMRAJ: Mr Chaskalson, can

17 I just understand because it doesn't appear very clearly

18 because of the distance, exactly what is the alleged within

19 that red triangle on the right of the screenshot?

20 MR CHASKALSON SC: Rectangle?

21 COMMISSIONER HEMRAJ: Rectangle, I beg

22 your pardon

23 MR CHASKALSON SC: That's Major-General

24 Naidoo's forward group of K9 vehicles. That is if one

25 follows the video going forward, in due course those

Page 23448

1 vehicles will start advancing slowly on koppie 3.

2 COMMISSIONER HEMRAJ: That's not the

3 entire convoy, that's just those that move forward leaving

4 the others behind at the station.

5 MR CHASKALSON SC: Yes, I think all of

6 those vehicles do move forward, there are certainly some

7 that have already been left behind, sort of at the edge of

8 the rectangle.

9 CHAIRPERSON: It sounds to me as if this

10 is a matter we can fruitfully explore once we've had lunch.

11 All right let's look at it after lunch. It's not terribly

12 clear, I must say, at the moment. It may be my defective

13 vision and understanding and nothing else. But any way

14 we'll look at that again when we resume after lunch.

15 [COMMISSION ADJOURNS COMMISSION RESUMES]

16 [14:00] CHAIRPERSON: The commission resumes.

17 Major-General, you're still under oath.

18 GENERAL NAIDOO: Thank you.

19 CHAIRPERSON: Mr Chaskalson?

20 MR CHASKALSON: Thank you, Chairperson.

21 Major-General, I'm concerned that we might be getting a bit

22 lost in the detail and I think it might be a useful thing

23 to step back and just remind ourselves of the crucial issue

24 that we're really discussing here, an issue quite literally

25 of life and death. The issue is why did you fail in your

Page 23449

1 function to get medical support to scene 1 and take all

2 sorts of wrong turns and idling moments, not moments,

3 idling periods of four minutes at a time while people were

4 literally dying at scene 1. That's what we're concerned

5 with.

6 And your explanation thus far as been that you

7 would, well, you took some wrong turns accidentally and

8 then when you started reorienting yourself you had to stop

9 because there was shooting at scene 2 which prevented you

10 from reaching the koppie. To put that all into perspective

11 and to keep our eye on the real issue what I'd like to do

12 is to just identify on MMM9A the various turns at various

13 points where you took turns or made decisions how the clock

14 had ticked since people had been gunned down at scene 1.

15 So let's start with your curious decision to turn

16 off the main road to go around the wrong side of the power

17 station. 15.57.25, that's three minutes and 55 seconds

18 since people had been shot in that volley of R5 gunfire

19 that we had seen and by this stage you'd taken the medics a

20 good deal further away from the scene or from getting to

21 the scene than they had been when the shootings took place.

22 Let's look at your idling period, your first idling period,

23 15.58.05 to 16.02.05. That starts four minutes and 35

24 seconds after the shootings so people have been lying on

25 the ground with R5 injuries for four minutes and 35 seconds

Page 23450

1 when that period starts. By the time that it ends we're at

2 eight minutes and 35 seconds.

3 Let's look at the second idling period. We're

4 now nine minutes and 35 seconds after the shootings when

5 you start idling for the second time and the medics are a

6 good deal longer away from getting to the scene than they

7 were when you started. And when that idling period

8 finishes people have been lying bleeding on the ground from

9 R5 wounds for 13 minutes and 35 seconds with the medics

10 nowhere in sight. That's what we have to remember. That's

11 what you have to explain.

12 Now, your explanation thus far has been a series

13 of bad direction, bad sense of direction problems which

14 take us to eight minutes and 35 seconds after the shootings

15 and then you come to your fall back explanation which is

16 just at the point as you finally get your bearings which

17 has taken you eight minutes and 35 seconds while people

18 have been bleeding to death then gunfire erupts as scene 2

19 and just when you could've got there you have to hold back

20 because a shootout has broken out.

21 That with respect, is not a plausible explanation

22 because when you start idling for the second time nine

23 minutes and 35 seconds into this, well, nine minutes and 35

24 seconds after the scene 1 shootings there is no shooting at

25 scene 2 and we can see that if we go to the slide that we

Page 23451

1 were going to show just before the break which is the
 2 screen shot from CC22 at 6.15 into CC22 which is 16.03.45.
 3 Now, at 16.03.45 you've already been idling – your second
 4 idle period is ten seconds old already. We're now nine
 5 minutes and 55 seconds after the shootings at scene 1, so
 6 people shot with R5 have been lying on the ground for nine
 7 minutes and 55 seconds. The medics are nowhere near them.
 8 But if we see what's actually happening at scene
 9 2 which is showed in this picture the re-organisation line
 10 hasn't moved from koppie two. It's nowhere near koppie
 11 three. Your group is lined up on the road. One of your
 12 vehicles inside the yellow circle has actually crossed the
 13 road already. There's no hint of shooting at this stage.
 14 We're three or four minutes away from shooting at scene 2.
 15 So how do you explain this idling period?
 16 GENERAL NAIDOO: Chair, as I indicated I
 17 did not specifically link the idling period two that was
 18 indicated on the first slide to a specific action. I did
 19 indicate that I could've stopped here and orientated myself
 20 and I could have so in terms of explaining the idling
 21 periods that relate to the picture I don't think I'm able
 22 to indicate that, no. What I can indicate is as my
 23 narrative went I went around it and we organised ourselves
 24 when we heard the shooting. That's when we decided to
 25 proceed to koppie three but that linking it to the time and

Page 23452

1 idling time I don't think I'm in a position to do that at
 2 this stage.
 3 MR CHASKALSON: Well, Major-General, at
 4 what stage are you going to be able to do it? We're a long
 5 way down the line. I'd have thought if you were to explain
 6 why nine and a half minutes after people had been gunned
 7 down in a hail of R5 bullets fired by your colleagues you
 8 started a new idling period and the medics that you were
 9 supposed to have brought to the scene were further away
 10 from the start than they had ever been you would have some
 11 explanation for that.
 12 GENERAL NAIDOO: Chair, two things. One
 13 is as I indicated and testified previously. My submission
 14 or my observation at that stage or my thought at that stage
 15 was I was closer to koppie one because I had view of it and
 16 I think in terms of the minutes since the shooting I don't
 17 think we are disputing that there is this time gap in terms
 18 of the distance of the shooting.
 19 COMMISSIONER HEMRAJ: General, I can't
 20 see on this screen shot where the rest of your convoy is,
 21 the larger part of your convoy with the medics, but can I
 22 just ask if there was no hint of danger would you have
 23 taken the step of going forward with the few of your
 24 vehicles and then leaving the rest behind?
 25 GENERAL NAIDOO: No, Chair, that was

Page 23453

1 already – we dealt with this previously. Had I not heard
 2 the shooting and perceived that there would be danger
 3 because of that we would've just turned around and
 4 proceeded to what I could clearly see was koppie one
 5 because as we came around the power station we fanned out,
 6 we assessed where we were and obviously then we moved based
 7 on what we saw.
 8 COMMISSIONER HEMRAJ: On this screen shot
 9 that's up on the screen at the moment can you see where the
 10 rest of the convoy is? Is it in fact separated from the
 11 front - so to speak?
 12 GENERAL NAIDOO: As I previously
 13 testified, Chair, there were some vehicles in front and
 14 there was the rest of the convoy stretched out behind. I
 15 am sure at some stage there will be a shot that will show
 16 that.
 17 MR CHASKALSON: I don't dispute that that
 18 was the case. I don't have a shot to hand to illustrate it
 19 but you're correct. There was a front, an advanced party
 20 of vehicles and vehicles behind, but Major-General, the
 21 commissioner said to you would you have moved forward if
 22 there wasn't a threat of danger. You see, when I look at
 23 the sequence and when I look at the sequence of when you
 24 actually started moving in what it looks like to me is that
 25 you only really started to advance when the dispersion

Page 23454

1 operation started to approach koppie three almost as
 2 through you were coordinating your movement with the
 3 movement of the rest of the operation that was approaching
 4 koppie three from the opposite direction. Let me show you
 5 a screen shot that will illustrate that.
 6 GENERAL NAIDOO: Okay.
 7 MR CHASKALSON: That's the shot that was
 8 up a minute ago. This is a screen shot from –
 9 CHAIRPERSON: Are you going to describe
 10 the screen shot? Is it an exhibit or are you just going to
 11 describe it in such a way that we can – it will be capable
 12 of being found by people who are looking at the record?
 13 MR CHASKALSON: Chairperson, can we make
 14 it an exhibit because it's an important shot? I forget the
 15 number we're at but let it stand on its own.
 16 CHAIRPERSON: MMM14.
 17 MR CHASKALSON: Now, this is a screen
 18 shot from nine minutes and 30 seconds into exhibit CC2.
 19 CHAIRPERSON: Nine minutes and?
 20 MR CHASKALSON: 30 seconds.
 21 CHAIRPERSON: 30 seconds into what? Into
 22 CC22?
 23 MR CHASKALSON: CC22.
 24 CHAIRPERSON: Thank you. How long is it
 25 – oh, it's just a shot. It's a still.

Page 23455

1 MR CHASKALSON: It's a still taken from
 2 that moment in the video.
 3 CHAIRPERSON: All I need to record is
 4 screen shot, nine minutes 30 seconds into CC22 and then
 5 I've written in brackets in my notebook ETV 16.06.30.
 6 MR CHASKALSON: That's correct,
 7 Chairperson. Now, this is 12 minutes and 40 seconds after
 8 the scene 1 shootings, 12 minutes and 40 seconds after the
 9 scene 1 shootings and if we – what we see in the red circle
 10 is the dispersion group of POPS Nyalas supported by the
 11 STF. Having moved past koppie two one can see the stain on
 12 the ground where the water cannon blew, sprayed blue dye in
 13 the sort of top right hand section of the red circle. One
 14 can see Nyalas facing out to the north west on the left
 15 hand side of the circle, some Nyalas approaching koppie
 16 two. Koppie two is sort of in the bottom half of the
 17 circle, some Nyalas approaching the northern side of koppie
 18 two, a water cannon and a Nyala approaching from the other
 19 side of koppie two on the right hand side of the circle.
 20 The operation is moving – sorry, koppie three, scene 2.
 21 The operation is moving to scene 2. And at the same time
 22 as the operation moves to scene 2 your four dog squad
 23 vehicles start moving in and what it looks like to me –
 24 CHAIRPERSON: Are they in the yellow
 25 block?

Page 23456

1 MR CHASKALSON: There in the yellow
 2 rectangle. What it looks like to me is that you were
 3 coordinating your movements to be part of the operation.
 4 What's your response to that?
 5 GENERAL NAIDOO: Chair, no, I think the
 6 scene that we see before me was described in my statement.
 7 The Nyala and the water cannon as well as what's not
 8 mentioned here was the special task force Casspir slightly
 9 behind them, I did describe this. And I think, you know,
 10 in terms of the picture we see we can't obviously see the
 11 gunshots that we heard but I think this scene that we see
 12 in this picture was described in my statement as well.
 13 MR CHASKALSON: You see, Major-General,
 14 apart from you no one in the entire SAPS has described any
 15 gunshots happening this early in the operation at scene 2.
 16 You are the first person to suggest – this is before the
 17 famous picture of blue dye and white water being sprayed
 18 simultaneously and you are the first person to suggest that
 19 there had been shooting before that period. Nobody else
 20 has even hinted at that.
 21 GENERAL NAIDOO: Chair, I don't think I
 22 would agree with that proposition because I think some of
 23 the statements that we discussed yesterday indicates that
 24 there was shooting in front of us. Admittedly they don't
 25 give a specific time but they do indicate that there was

Page 23457

1 shooting in front of us, members of the dog unit especially
 2 if I could recall.
 3 MR CHASKALSON: We'll get to those
 4 statements. None of them corroborate your version, not
 5 one. I'd invite you and your legal representatives in the
 6 SAPS team to find a single statement that suggests that you
 7 moved forward after shooting as opposed to the fact that
 8 the shooting took place after you moved forward, but we'll
 9 get to those. You see, another thing that's crossed my
 10 mind with this picture of apparent coordination between
 11 your movements and the movements of the vehicles under
 12 Brigadier Calitz is that curious two minute conversation
 13 which you said didn't take place, because it seems to me
 14 when I think of that conversation is possibly you were
 15 talking about how to coordinate your movements with the
 16 canine personnel, with the movements of Brigadier Calitz's
 17 group because that's certainly what it looks like was
 18 happening.
 19 GENERAL NAIDOO: Chair, first as I've
 20 already testified no conversation took place between us,
 21 voice conversation, secondly I would have appreciated
 22 should such a conversation have taken place because I would
 23 have been better orientated as to what was happening, so in
 24 terms of our movement there we did not, and I think anybody
 25 had access to all our records, did not have an opportunity

Page 23458

1 to have a conversation with anybody in terms of what was
 2 happening. I also testified to the fact that I saw the
 3 crowds that were already dispersing past koppie three on my
 4 left going through the filtering line of the TRT at this
 5 time so I was aware that a dispersal was taking place
 6 behind the koppie. I had no idea and I've testified to the
 7 fact that the POPS were on the other side of koppie three.
 8 I've also testified to that fact. So as far as the theory
 9 of coordination I wish we had some coordination. I
 10 probably would not have been lost as we were.
 11 MR CHASKALSON: Well, let's then look at
 12 the statements of your colleagues who moved in because to a
 13 SAPS member if they speak about shooting they speak about
 14 shooting happening after they moved in, not before.
 15 GENERAL NAIDOO: Chair, it would depend,
 16 move where, because our movement was we moved around the
 17 power station in the direction of the koppie so I think we
 18 need to be clear as to when we say after the movement which
 19 movement we're talking about because the statements don't
 20 really indicate which movements are we talking about.
 21 MR CHASKALSON: Well, let's take them one
 22 by one. There are lots of them.
 23 CHAIRPERSON: Are we going to have to be
 24 given exhibit numbers or are they already before us?
 25 MR CHASKALSON: Some of them are already

1 before us. I'll start with Constable Mutsi who is already
 2 in exhibit –
 3 CHAIRPERSON: We had him yesterday.
 4 MR CHASKALSON: That I now have lost my
 5 note of which number Mutsi is.
 6 CHAIRPERSON: MMM7.
 7 MR CHASKALSON: Thank you, Chairperson.
 8 If we can then call up Mutsi MMM7 and if we start as at
 9 paragraph 6, "General Naidoo gave us the instruction that
 10 we must follow his lead and on our arrival at the power
 11 station we moved out with the vehicles and approached the
 12 mountain from the southern side and I was on foot as I had
 13 left the vehicle that I was driving near the power
 14 station." No mention of any shooting before he gets out of
 15 his vehicle and starts to approach the southern side of the
 16 mountain. "During the approach I then saw the miners
 17 coming out of the mountain towards our direction," during
 18 the approach, "and they were ordered to stop and to drop
 19 their weapons and at that stage police officials were
 20 trying to take cover. Then the miners turned and went and
 21 ran back to the mountain to those bushes. So they had
 22 hidden themselves in the bushes and then comes the
 23 shooting. And at that stage they fired shots from the bush
 24 where they entered and the shot was fired towards our
 25 direction.

1 [14:20] So Constable Mutsi remembers the event in a way
 2 that the shooting happened after your approach, not before,
 3 it didn't cause your approach, it was probably, possibly
 4 precipitated by your approach. Let's look at the next
 5 member who will be – do you have a comment on Constable
 6 Mutsi? Why don't we read them all and then you can comment
 7 on –
 8 MR SEMENYA SC: Chair, perhaps not.
 9 That's why we get confused with question and answer.
 10 CHAIRPERSON: Mr Semanya's right, you
 11 know. I think we're more likely to get a record that's
 12 easier to follow if he deals with each statement seriatim
 13 as it were rather than globularly.
 14 COMMISSIONER HEMRAJ: And this statement
 15 at paragraph 8 relates to, or speaks of shots fired towards
 16 the deponent, in paragraph 8, yes?
 17 MR CHASKALSON SC: That's correct, but
 18 there's no mention of any shooting before that.
 19 GENERAL NAIDOO: Chair, can I ask a
 20 question on that part? Chair, I think yes, Colonel Mutsi
 21 has not fluidly explained what I already testified to but I
 22 do notice that he has indicated before mentioning the
 23 shooting that members were already taking cover, without
 24 mentioning. Now members won't take cover if there were not
 25 perceived to be shots fired, etcetera. So I'm just drawing

1 an inference.
 2 CHAIRPERSON: It may necessarily follow.
 3 If there were strikers in the vicinity in an aggressive
 4 hostile posture and the police were aware of the fact that
 5 some of the strikers had firearms, then I imagine the
 6 sensible thing to do was to take cover before shots were
 7 fired. It doesn't follow. I understand, I'm not rejecting
 8 your argument outright but I am saying there is another
 9 possibility.
 10 MR CHASKALSON SC: Chair, can I put a
 11 follow-up question to the witness?
 12 CHAIRPERSON: Let him finish his answer.
 13 GENERAL NAIDOO: Chair, because I have
 14 testified as well when we came around, we did not see any
 15 strikers directly in front of us. I did see them far to
 16 the left going west, but directly in front of us, we did
 17 not see any strikers.
 18 MR CHASKALSON SC: Major-General, let's
 19 look at paragraph 7 which I presume you're referring to, is
 20 that what you're referring to?
 21 GENERAL NAIDOO: That is correct.
 22 MR CHASKALSON SC: Paragraph 7 comes
 23 after paragraph 6. Paragraph 6 says, "General Naidoo gave
 24 us the instruction that we must follow his leads and on our
 25 arrival at the power station we moved out of the vehicle

1 and approached the mountain." So we've already got out of
 2 the vehicle and approached the mountain from the southern
 3 side. "And I was on foot as I had left the vehicle that I
 4 was driving near the station. During the approach I then
 5 saw the miners coming out of the mountain towards our
 6 direction and they were ordered to stop and drop their
 7 weapons and at that stage police officials were trying to
 8 take cover." That's plainly after you started advancing,
 9 General.
 10 GENERAL NAIDOO: Chair, I would not agree
 11 with that because I'm sure even in the photographs we would
 12 not see miners initially when we approached. As I
 13 indicated, we did arrest three miners but when he was
 14 driving and we came around the power station and he stopped
 15 at that stage, there was a reason why we stopped and
 16 there's a reason why members alighted from the vehicles.
 17 I'm only trying to draw an inference, he's not explicitly
 18 stating things that I have explained. So that is why I do
 19 not agree with the presumption. Whether he heard or did
 20 not hear, I can't testify to that fact.
 21 MR CHASKALSON SC: Sorry General, I know
 22 your version is different. I'm putting to you, not that
 23 your version is the same but that your version is the
 24 unique version that is contradicted by every single one of
 25 your colleagues who speaks to this event. So are you

Page 23463

1 suggesting to me that this version of Constable Mutsi
 2 speaks of shooting before the approach?
 3 GENERAL NAIDOO: Chair, that is not what
 4 I am indicating. What I am indicating is that in my
 5 version I specifically mentioned the shooting that I heard
 6 on the right hand side coming from the direction of between
 7 koppie 3 and koppie 1 and 2, as I testified, and I'm saying
 8 in this particular version, it's not explicitly indicated
 9 but I'm drawing the inference, but why would they alight
 10 from the vehicle as soon as they come around the power
 11 station? There must be a reason for taking up a defensive
 12 position.
 13 MR CHASKALSON SC: I will confine myself
 14 to what they do say. Let's go to the next one which is
 15 Constable Biyela, B-I-Y-E-L-A, which needs a new exhibit
 16 number, Chairperson. B-I-Y-E-L-A.
 17 CHAIRPERSON: Thank you, is he
 18 [inaudible, microphone off].
 19 MR CHASKALSON SC: I think he is. I'll
 20 check in one minute.
 21 CHAIRPERSON: Sorry, I didn't get, my
 22 microphone wasn't on. MMM15, statement Constable Biyela, I
 23 asked you is he a Constable and you said you would check.
 24 MR CHASKALSON SC: I would check.
 25 CHAIRPERSON: And he's now Warrant

Page 23464

1 Officer.
 2 MR CHASKALSON SC: He has been –
 3 CHAIRPERSON: He has been dramatically
 4 promoted in the space of two seconds. Warrant Officer Vusi
 5 Musi Biyela's statement, exhibit MMM15.
 6 MR CHASKALSON SC: Can we go down to
 7 paragraph 2? "On Thursday, 16-08-12 I was on duty in full
 8 uniform performing crowd management in Marikana at the said
 9 date at about 15:30 to 15:40. I was working under the
 10 command of Naidoo General had approached from the power
 11 line. We had approached in a convoy with canine that do
 12 five units on" – that's actually our arrival, in the
 13 handwritten version – "we have got out from the vehicle.
 14 The General had ordered us to go in to search the area.
 15 While we were busy approaching the hill I saw a group of
 16 men running towards us carrying spears and knobkieries. I
 17 heard the shooting sound started, then I took cover with
 18 state vehicle. I didn't shoot any round at the scene."
 19 That's Warrant Officer Biyela. Again he speaks of shooting
 20 that happens after you had ordered them to go in and search
 21 the area and while they were busy approaching the hill.
 22 Nothing about shooting before the approach. Any comment?
 23 GENERAL NAIDOO: Chair, yes, the public
 24 order police members, as far as I could remember were not
 25 part of the five vehicles that moved forward. They held at

Page 23465

1 the power station and they only moved forward at a later
 2 stage. So I think the –
 3 CHAIRPERSON: Is that – I'm sorry, carry
 4 on, sorry. I was going to ask you a question. Please
 5 complete your answer first, sorry.
 6 GENERAL NAIDOO: So as I have already
 7 indicated it was K9 people that were in the front line, so
 8 to speak.
 9 CHAIRPERSON: Of course at the end of
 10 paragraph 2, he says, "The General had ordered us to go in
 11 to search the area." And then he says in 3, "While we were
 12 busy approaching the hill I saw a group of men running
 13 towards us carrying spears and knobkerries. I heard the
 14 shooting sound started when I took for cover with state
 15 vehicle."
 16 GENERAL NAIDOO: That's right.
 17 CHAIRPERSON: So he heard shooting start,
 18 he was one of the people under your command. He went
 19 towards the hill pursuant to an order that you had given
 20 him and he saw people then running towards him and his
 21 colleagues carrying spears and knobkerries and then he
 22 heard the shooting sound start. So that, you may not agree
 23 with the statements. It certainly is in line with what Mr
 24 Chaskalson has suggested that so far, so far, that your
 25 statement is alone in suggesting the shooting started at an

Page 23466

1 earlier stage but there may still be other statements that
 2 support you, but so far we haven't seen one, but it's early
 3 days yet.
 4 GENERAL NAIDOO: Chair ja, neither have
 5 I. I have not studied all the statements so I also would
 6 not be able to say.
 7 COMMISSIONER HEMRAJ: But even as a POPs
 8 member he'd remained at the station and if there was
 9 automatic fire he would have been able to hear it, surely?
 10 GENERAL NAIDOO: I beg your pardon,
 11 Chair?
 12 COMMISSIONER HEMRAJ: If you say he was
 13 one of those POPs persons who remained at the station
 14 instead of being part of the canines that moved forward,
 15 and if there was automatic fire at scene 2, he would have
 16 been able to hear it from where he was?
 17 GENERAL NAIDOO: Chair, definitely, yes.
 18 That was my assumption that people heard what I heard.
 19 MR SEMENYA SC: Chair, can I register
 20 this objection with this line of cross-examination, which I
 21 think is entirely unfair. The witness refers us to two
 22 types of fire that caused two distinct responses on their
 23 part. The first is the one that explains why they go to
 24 koppie 3, the second is what happens when they get there.
 25 Those are two distinct firings. We are being shown

Page 23467

1 statements of witnesses who are talking about the second
 2 type of shots and they say nothing about the first. Now
 3 one would have thought if we were seeking to impeach this
 4 witness on the basis of these statements, you at least
 5 consult with them. Now we have evidence leaders who have
 6 an opportunity and a right to consult this witness and say
 7 we have an account of a General which does not deal with a
 8 distinct element and which to us, our reading, constitutes
 9 a contradiction. Can we ask you directly, did this happen
 10 or didn't that happen? But to use inference of an omission
 11 as a basis of a contradiction, is totally unfair.

12 MR CHASKALSON SC: Chairperson, these are
 13 not abstract witnesses, these are witness statements that
 14 were put up by SAPS to this commission. We asked SAPS for
 15 statements of their members these were produced. If their
 16 members were being expected to support what would be the
 17 SAPS version and had heard shooting at scene 3 before
 18 anybody had advanced and knew that the reason that the
 19 medics didn't get to scene 1 timeously was that they were
 20 about to go there when shooting broke out, I would have
 21 expected SAPS to ensure that these members, their own
 22 members, whose statements they gave us would have mentioned
 23 that. The fact that they don't speak to what SAPS now
 24 seems to regard as an important part of its case, speaks
 25 volumes and I submit I'm entitled to go through each one of

Page 23468

1 these members who speaks of being part of Major-General
 2 Naidoo's group and says nothing about shooting before the
 3 approach and says a lot about shooting after the approach
 4 to show that his version, quite aside from its
 5 inconsistency with the object of evidence relating to time
 6 is also utterly unsupported by any one of his colleagues.

7 MR SEMENYA SC: No Chair, that would have
 8 been true if we were parties in litigation and the evidence
 9 leaders had no right of access to our witnesses. That
 10 would have been an entirely different thing. But they do
 11 consult with our witnesses, they do have an opportunity to
 12 look at the documents and say to themselves, there is
 13 something amiss here. They are not explaining to us why,
 14 if something is amiss they don't call on us, even
 15 specifically. There is this contradiction we want an
 16 account of the witnesses from you and would obtain the
 17 statement. I'm saying the cross-examination would be fair
 18 if the total picture was put to the witness. What is not
 19 put to the witness is the omissions that are standing ex
 20 facie the document they are using. That's the complaint.

21 CHAIRPERSON: I don't think that I can
 22 hold that the question is unfair. The basis of the
 23 question if I understand it is he's put a number of
 24 statements have produced by the police, by people who were
 25 there at the time and none of them mentioned the shooting

Page 23469

1 beforehand. And you, and suggested with the witness is the
 2 first and only person to suggest that there was shooting
 3 beforehand. I don't understand it to be put that these
 4 statements are necessarily the truth. The point being made
 5 at the moment is none of these statements mentions this,
 6 it's an omission. This is the first witness who says
 7 something different. I will allow the question to be
 8 asked. Obviously the rights of the counsel for the police
 9 to deal with the matter in re-examination are entirely
 10 reserved. You may proceed, Mr Chaskalson.

11 MR CHASKALSON SC: If we can then move to
 12 the statement of Constable Kwele.

13 CHAIRPERSON: Is it a new statement?
 14 MR CHASKALSON SC: Yes, it will become
 15 MMM16.

16 CHAIRPERSON: How do you spell Kwela, K-
 17 W-E-L-A?

18 MR CHASKALSON SC: E-L-E.
 19 CHAIRPERSON: So K-W-E-L-E, yes? MMM16.
 20 Thank you.

21 MR CHASKALSON SC: And if we go down.
 22 CHAIRPERSON: Previous witness's
 23 statements weren't in your cross-examination bundle for
 24 this witness. I take it the same applies to Constable
 25 Kwele? Have we got Kwele?

Page 23470

1 MR CHASKALSON SC: I must apologise. We
 2 sent a supplementary set of documents to the SAPS team but
 3 not to the Commissioners. We'll correct that in future.

4 CHAIRPERSON: I'm looking at the index
 5 you gave us. You're correct, you did give us further
 6 statements which I found at the back of the file. I should
 7 have added them to the index but I, it was an omission on
 8 my part. Kwele would be MMM16?

9 MR CHASKALSON SC: Yes Chairperson. He's
 10 recorded on the SAPS list of members as a Constable.

11 CHAIRPERSON: Very well.
 12 MR CHASKALSON SC: The statement's coming
 13 up but if I can just read the contextual paragraphs. "At
 14 approximately about 15h00 we were briefed in an operation
 15 that we should sweep the koppie with our dogs by General
 16 Naidoo. Afterwards General Naidoo instructed us to move to
 17 the koppie. We then proceeded to the koppie. The people
 18 who were at the koppie they went to the second koppie and
 19 General Naidoo instructed to go to the second koppie. We
 20 came from the southern side of that second koppie. We then
 21 parked our vehicle and walked with our dogs. The
 22 approaches begun. I was having my dog with me at that
 23 time. At the time I approached that koppie, because it was
 24 rocky and lots of bushes the group of people came out and
 25 in the bushes. They wanted to attack us and they were

Page 23471

1 having pangas, assegais and spears. Immediately they shot
 2 at us with pistols and I heard bullet projectile flying. I
 3 moved backwards – and on it goes. So again, there is a
 4 description of shooting that happens after the approach.
 5 No hint of any shooting that happens before the approach.
 6 CHAIRPERSON: It goes further than that.
 7 What the witness says is he was approaching the koppie on
 8 the instructions of the witness. The third paragraph, he
 9 describes how they were proceeding to the koppie, people
 10 had gone to the second koppie and he then says, “and
 11 General Naidoo instructed to go to the second koppie”.
 12 Clearly anything that happened as described by him
 13 thereafter took place after the witness had instructed this
 14 member, and presumably others, to go to the koppie. What
 15 do you say about that Major-General?
 16 GENERAL NAIDOO: Chair, I think I have
 17 testified that I did take – and this is a dog handler – I
 18 did take members from the K9 unit in the direction of the
 19 koppie.
 20 CHAIRPERSON: He supports your evidence
 21 in that regard.
 22 GENERAL NAIDOO: That’s right.
 23 CHAIRPERSON: But what he says, if his
 24 description is to be regarded as a chronological account of
 25 what happened, is that it was only after you had instructed

Page 23472

1 them to go in that, go there and while he was going there,
 2 pursuant to your instructions, that the shooting happened.
 3 GENERAL NAIDOO: Chair, I don’t dispute
 4 that part because I also at some stage covered that in my
 5 statement that as we approached that koppie that shots were
 6 fired at us. So I think what we’re dealing with is the
 7 omission of mentioning whether he heard the shots that I
 8 say I heard. So I’m not disputing what he has said in his
 9 statement in terms of what happened when we approached. I
 10 already testified that I had instructed them to move.
 11 MR CHASKALSON SC: Major-General, did you
 12 discuss with any of your colleagues at the sub-station how
 13 to respond or how you were going to respond to the shots,
 14 the facts that the shots were disturbing you?
 15 GENERAL NAIDOO: Chair, when we say
 16 discuss, we did not have a briefing per se. As I indicated
 17 that I indicated to the k9, the larger group of the K9 that
 18 they should hold there and I indicated to the smaller group
 19 of four other vehicles from K9 that we should go forward,
 20 and I have testified to that fact as well.
 21 MR CHASKALSON SC: And did you mention
 22 the fact that why you were going forward was that there had
 23 been shooting?
 24 GENERAL NAIDOO: Chair, my assumption,
 25 and this is why I say I’m surprised that nobody else

Page 23473

1 mentioned it, was they had heard the same shooting that I
 2 heard and we were going forward in a patrol position,
 3 obviously approaching something tactically.
 4 [14:40] We were not just driving through a scene and I
 5 testified to that fact that we had, I instructed them to
 6 take the tactical posture because there was shooting.
 7 MR CHASKALSON SC: And as far as you were
 8 concerned everybody else had heard that shooting.
 9 GENERAL NAIDOO: That was my presumption,
 10 Chair.
 11 MR CHASKALSON SC: But nobody seems to
 12 have mentioned it anywhere. Any reason why they wouldn’t
 13 mention shooting in this context?
 14 MR SEMENYA SC: He’s calling for the
 15 witness to speculate on the mind of those who were making
 16 the statement.
 17 CHAIRPERSON: He’s just being given a
 18 chance to answer, he obviously is unable to answer. It’s
 19 not necessarily fatal to his case but the question has been
 20 put, the explanation is not forthcoming. If it hadn’t been
 21 put and he hadn’t been asked to deal with it then the
 22 objection could be raised that he wasn’t given a chance to
 23 deal with it, so it’s one of these two-edged sword things
 24 but I don’t see a problem with the question.
 25 GENERAL NAIDOO: Chair, I would not

Page 23474

1 speculate as to why they didn’t specifically mention it.
 2 As I experienced it there was a lot happening and maybe
 3 they have combined the shootings that we heard from koppie
 4 3 but that will be pure speculation on my side.
 5 CHAIRPERSON: I’m reminded it doesn’t
 6 help to ask a witness to speculate about matters and I’ve
 7 ruled that on a number of occasions, so we’re in that
 8 territory actually.
 9 MR CHASKALSON SC: Let me continue then
 10 to the next witness statement which is Constable Dintwe, D-
 11 I-N-T-W-E, and I think he needs a –
 12 CHAIRPERSON: I think he’s got a – I
 13 think that’s his first name, is it? Is this the statement
 14 we were given which is on the police hard drive as OOO, it
 15 looks like 494? Is that the same one?
 16 MR CHASKALSON SC: That’s correct,
 17 Chairperson.
 18 CHAIRPERSON: It looks like Dintwe Jerry
 19 Tsepiso, I think. I think it’s his first name.
 20 MR CHASKALSON SC: Tsepiso and Jerry are
 21 his first names.
 22 CHAIRPERSON: Oh, I see. Alright, so
 23 Constable Dintwe, he’s got to be MMM16.
 24 MR CHASKALSON SC: 17, Chair.
 25 CHAIRPERSON: Sorry, I beg your pardon.

Page 23475

1 16 is Kwele. MMM17, he's a constable, Constable – looks
 2 like JT.
 3 MR CHASKALSON SC: That's correct, Jerry
 4 Tsepiso. And what Constable Dintwe says if we pick up in
 5 the third paragraph, "A briefing was held by General Naidoo
 6 with K9 members that as soon as the striking members left,
 7 we have to sweep the place in search of dangerous weapons
 8 as well as firearms. Approach the koppie from the southern
 9 direction with some police vehicles parked nearby power
 10 station and instruction from General Naidoo we must take
 11 out our dogs and move towards the koppie. My dog Chaka" –
 12 and details of Chaka are given. "Plus-minus 30 metres
 13 towards second small koppie a first shot was fired at us by
 14 the miners hiding behind the rocks and trees. Quickly took
 15 cover with Potchefstroom flying squad member Warrant
 16 Officer Mentesh" – I can't read, flying squad bakkie –
 17 "Warrant Officer Mentesh of Phokeng K9. My dog got loose
 18 as he tried to catch it, then while doing that heard
 19 gunshots fired from where the miners had hidden." And on
 20 it goes. Again a first gunshot is fired, in this case
 21 plus-minus 30 metres towards the second small koppie after
 22 the move towards the koppie had begun.
 23 CHAIRPERSON: I take it your answer is
 24 the same, you can't speculate as to why he said that. It's
 25 not in accordance with what you say but on the other hand

Page 23476

1 there are various possibilities that arise. Is that your
 2 answer?
 3 GENERAL NAIDOO: That is my answer.
 4 MR CHASKALSON SC: Chairperson, there is
 5 a long list of these statements. I don't know if I should
 6 just give them all exhibit numbers and let them become
 7 exhibits if the answer is going to be the same each time or
 8 if I should put each one to the witness. I'm in your hands
 9 on this.
 10 CHAIRPERSON: If they're all effectively
 11 to the same effect, I suggest that you draw up a list, give
 12 it to us – obviously I mean we can't do it now but give it
 13 to us at tea time or the end of the day, make the
 14 statements that, police statements all along the same lines
 15 as the ones we've had already. That will effectively be a
 16 challenge to the police to see if they can find statements
 17 that go the other way. It would help if they were
 18 statements before Roots, relatively contemporaneous
 19 statements but that's no reason why statements that don't
 20 qualify in terms of what I've just said couldn't be put
 21 before us but there would be questions of weight to be
 22 considered, but that's the practical way to do it. I don't
 23 think you should go through it one by one. The answers, as
 24 you say, are always going to be the same if what you say is
 25 correct that these statements are along the lines of this

Page 23477

1 one and if there are other statements going the other way
 2 then I'm sure the police will be able to deal with them in
 3 re-examination. Mr Chaskalson, I think that's the way
 4 forward as far as that is concerned. A key point of course
 5 here is if it's possible to ascertain with objective
 6 certainty what time the shooting started in the vicinity of
 7 scene 2, shooting by anybody, the police or the strikers.
 8 Is that something which is possible to ascertain
 9 objectively by an examination of all the materials that are
 10 before us? Has that exercise been performed, because I
 11 mean that's the key thing, isn't it?
 12 MR CHASKALSON SC: Chairperson, and it
 13 relates to Roots as well, we weren't there obviously and we
 14 don't know but what has always, what we have always
 15 understood to be the first shooting was the shooting of
 16 victim N. That we can date or fix to a time.
 17 CHAIRPERSON: We need a time, dating
 18 isn't going to help.
 19 MR CHASKALSON SC: What we know, that
 20 that took place after ETV time 16:07:24. We would put it
 21 within a minute after 16:07:24, somewhere in that minute
 22 because that is the point at which the TRT line from the
 23 south-west reaches the dam and all of the descriptions of
 24 that shooting talk about it happening just at the point as
 25 the TRT confronts a group of strikers who are rushing out

Page 23478

1 of the koppie at them as they approach the dam. So it's
 2 within a minute, we would say, of 16:07:24 but a minute
 3 after 16:07:24 because the TRT line has just advanced to
 4 the edge of the dam by 16:07:24. We're unaware of any SAPS
 5 witness other than this witness who suggests that there was
 6 any shooting before that moment and that goes also to the
 7 SAPS presentation because Roots is not a relevant cut-off
 8 period here because one of the striking things about this
 9 version is there's no hint of it in the SAPS presentation
 10 and, Major-General, maybe that is a question that we should
 11 put to you. Why does exhibit L make no mention of this
 12 absolutely crucial fact of possible automatic gunfire from
 13 scene 2 before the SAPS members reach scene 2?
 14 GENERAL NAIDOO: Chair, I think I was
 15 asked this question yesterday and I did respond to it, that
 16 we all had an overview of the exhibit L at Roots and I
 17 can't offer an explanation why it was not there. I was
 18 also asked did I comment about it specifically, I also
 19 indicated I did not.
 20 COMMISSIONER HEMRAJ: Mr Chaskalson, can
 21 I just enquire, have there been consultations with any of
 22 the persons on that long list you referred to and has this
 23 issue of hearing the firing been raised pertinently prior
 24 to it becoming an issue in this cross-examination?
 25 MR CHASKALSON SC: No. No, Commissioner,

Page 23479

1 we didn't – we didn't believe it was an issue. There was a
 2 consistent SAPS version that made no mention of it.
 3 COMMISSIONER HEMRAJ: Thank you.
 4 CHAIRPERSON: I didn't write down, what
 5 do you say is the – as far as you understand the situation,
 6 what do you say is the time, according to the information
 7 at your disposal, when shooting started in the vicinity of
 8 koppie 3?
 9 MR CHASKALSON SC: In the minute after
 10 ETV time 16:07:24, the minute after photograph JJJ –
 11 CHAIRPERSON: You say in the minute, in
 12 other words –
 13 MR CHASKALSON SC: Yes –
 14 CHAIRPERSON: - but in the minute after
 15 16:07:24.
 16 MR CHASKALSON SC: That's correct,
 17 Chairperson, and why we say that is, all of the accounts of
 18 the shootings of victim N who appears to be the first
 19 person to have been shot and the first situation in which
 20 gunfire is mentioned in any context in scene 2, describe
 21 essentially a collision between TRT members coming up from
 22 the south-west and strikers running out of the koppie in
 23 the direction of the south-west and that collision happens
 24 around the dam.
 25 CHAIRPERSON: Well, if that is correct it

Page 23480

1 means that the – if that's correct it means the shooting at
 2 scene 2 started after the second idling period had come to
 3 an end. The second idling period, I don't know whether one
 4 has got to adjust for different clocks and things but
 5 according to MMM9A the second idling period ended at
 6 16:07:05.
 7 MR CHASKALSON SC: Yes, if the second
 8 idling period hadn't finished it was almost finished on our
 9 assessment of when the shooting started at scene 2.
 10 CHAIRPERSON: No – no, you say it was in
 11 the minute after 16:07:24. Now how does one have to – does
 12 one have to adjust 16:07:05, the end of the idling period,
 13 according to exhibit MMM –
 14 MR CHASKALSON SC: One has to add the 20
 15 seconds.
 16 CHAIRPERSON: Add 20 seconds, I see. So
 17 it could have been literally a second before the second
 18 idling period ended or it could've been within the 60
 19 seconds thereafter?
 20 MR CHASKALSON SC: Yes, Chairperson, that
 21 is our assessment of it. The other feature of all of these
 22 statements of the members who went in with you is that none
 23 of them mention any concerns in relation to the medics
 24 whatsoever. Can you think of a reason for that if the
 25 primary function of the group was to get the medics to

Page 23481

1 scene 1?
 2 CHAIRPERSON: Mr Chaskalson, isn't that
 3 going to raise the same objection that we had before, that
 4 you're asking him to speculate as to something, why
 5 something is not in the statement?
 6 MR CHASKALSON SC: No, this is genuinely
 7 in fairness to the witness because there may be an answer
 8 because the people who went in were K9 people and it may be
 9 that their briefing, that they weren't aware of his
 10 concerns in relation to the medics, I –
 11 MR SEMENYA SC: But again, Chair, these
 12 are warning statements given for a particular thing and I
 13 don't see how this warning statement would be telling about
 14 medics.
 15 CHAIRPERSON: That may be the explanation
 16 of the witness – that he's asked if there's any reason he
 17 can think of why they don't mention it, well, you've given
 18 the answer.
 19 GENERAL NAIDOO: Chair, and I'm not sure
 20 – we have not studied all the statements – whether any of
 21 the witnesses mention the medics because they were part of
 22 the convoy and they were protecting them, so we're working
 23 on an assumption without checking whether they specifically
 24 mention the fact that we were escorting the medics. I
 25 don't know what the expectation was to say concern for the

Page 23482

1 medics but I would expect if they do mention that we were
 2 escorting the medics, that would address the issue that we
 3 had that responsibility.
 4 CHAIRPERSON: Well, the statements that
 5 we've looked at so far don't mention that point and it may
 6 well be that other statements to which Mr Chaskalson is
 7 going to refer us in the list where he says the only
 8 reference is to shooting after you'd given the instruction
 9 to move to koppie 3, they may also be silent as far as the
 10 medics are concerned, but again that's a matter which we
 11 will find out about in due course. You can't think of any
 12 reason why they didn't mention it except the fact if they
 13 were warning statements, it's not a matter that they would
 14 have been concerned to mention if they were themselves
 15 answering a potential charge against them.
 16 GENERAL NAIDOO: Chair, correct. As our
 17 counsel has indicated, these statements were taken for IPID
 18 in relation to the involvement with the discharge of
 19 weapons.
 20 MR CHASKALSON SC: Well, maybe let's take
 21 one last statement which is quite an important statement,
 22 in fact isn't a statement, it's an affidavit and seems to
 23 be in a class of its own in that respect. It's the
 24 affidavit of your driver, Lieutenant-Colonel Tongwane, and
 25 if we can give that an exhibit number. And your driver, if

Page 23483

1 I understand your evidence, must have known of your
 2 intention to get to scene 1 because he was the man who knew
 3 the place, he was the man on whom you relied, he was the
 4 man who took all the wrong turns after your first wrong
 5 turn, is that correct?
 6 CHAIRPERSON: I'm sorry, Mr Chaskalson,
 7 we've got to mark this an exhibit, surely? I don't think
 8 it's an exhibit yet, is it?
 9 MR CHASKALSON SC: It's not, Chairperson.
 10 Can it be MMM18?
 11 CHAIRPERSON: MMM18 statement – I see it
 12 is a warning statement or it's so headed. The one I've got
 13 is –
 14 COMMISSIONER HEMRAJ: There are two
 15 separate statements, aren't there, Mr Chaskalson? There's
 16 one, the sworn affidavit in manuscript and then the warning
 17 statement –
 18 MR CHASKALSON SC: Let's look at the
 19 affidavit. I think the warning statement is a generic
 20 heading put on all of these retyped versions by Mr
 21 Pretorius –
 22 CHAIRPERSON: It was the case certainly
 23 with some of them. Yes, I see. Now what – you say the so-
 24 called sworn affidavit, which is a tautologous expression,
 25 is word for word the same as the – no, it's not.

Page 23484

1 MR CHASKALSON SC: It's not. There's
 2 quite an important paragraph missing from the retyped
 3 version.
 4 CHAIRPERSON: Which one are we going to
 5 use? Are we going to use the –
 6 MR CHASKALSON SC: The authentic
 7 affidavit.
 8 CHAIRPERSON: The sworn affidavit, the
 9 handwritten one which is commissioned and everything.
 10 Alright, so it's affidavit by Lieutenant-Colonel GS
 11 Tangwane, is it?
 12 GENERAL NAIDOO: Tongwane.
 13 CHAIRPERSON: Tongwane, alright, and I'll
 14 mark that MMM18.
 15 MR CHASKALSON SC: Now, if there's one
 16 person who should have known what your intentions on the
 17 day were, it would be Lieutenant-Colonel Tongwane, surely
 18 Major-General, because he was the man who had to get your
 19 convoy with the medics to scene 1 as quickly as possible.
 20 GENERAL NAIDOO: That's correct.
 21 MR CHASKALSON SC: Let's see what he
 22 says. "I was officially reported on duty and I was posted
 23 as a driver to group leader Major-General Naidoo. Our
 24 group comprised of members from mounted unit, K9 and POPS.
 25 At about 15:30 we formed up a convoy to proceed to the

Page 23485

1 mountain to give a backup to the other groups which were
 2 already at the mountain. When we approached the end of the
 3 power station we left other vehicles and proceed with few
 4 vehicles, plus-minus three of them, and the rest of the
 5 members were on foot. The members of the mounted unit were
 6 left behind on horseback and they were later called on to
 7 do sweeping. We proceeded in a line formation towards the
 8 mountain where the police and the group of protesters were
 9 heading to. When we arrive at the mountain, scene 2, the
 10 protesters were already in the mountain. What I saw and
 11 heard was this. I heard gunshots from three directions in
 12 which I was standing from left and right but I could not
 13 determine if it was from the police or the crowd. During
 14 that time there was also fire burning from the grass. I
 15 borrowed a blanket from members of task force to put down
 16 the fire. When I finished to put down the fire the
 17 gunshots had already stopped and suspects were arrested.
 18 [15:00] I could notice some people injured and went back
 19 to my vehicle to call for," and I'm not sure, I can't read
 20 that, "medics. I did not fire any shot nor my members did
 21 because they were on horseback. That's all I can state."
 22 Now, what's striking about your driver's statement is in
 23 this description he makes no mention of the intention of
 24 the convoy or your intention to take a convoy of medics to
 25 where wounded people were lying at scene on.

Page 23486

1 GENERAL NAIDOO: Chair, that's correct
 2 and he also doesn't mention the fact that we took the wrong
 3 road and we turned around and we got back onto the road, so
 4 I would say that his affidavit does not contain the detail
 5 in terms of what happened there. It gets to where the
 6 issue of the incident at scene 2 went. That is true.
 7 MR CHASKALSON: He does of course mention
 8 the purpose of your operation on the day which was to give
 9 a back up to the other groups which were already at the
 10 mountain. That's what he seems to have understood as the
 11 purpose that was worth mentioning, nothing about medics but
 12 something about back up.
 13 GENERAL NAIDOO: Chair, that is why I say
 14 I don't think his affidavit has got specific or sufficient
 15 specific detail. He doesn't cover several aspects. And I
 16 think that issue would then need to be rectified. He
 17 focuses primarily on the issue of scene 2.
 18 MR CHASKALSON: You see, Major-General,
 19 if you hadn't taken a wrong turning and indeed you had
 20 parked your convoy behind the substation to keep is
 21 concealed, well, then there would be no need to mention any
 22 wrong turning because none would've existed, and if your
 23 intention was to give back up to the other SAPS forces in
 24 the field then maybe you didn't take a wrong turning when
 25 you went left around the big substation. You put yourself

Page 23487

1 in the obvious position to give back up to the rest of the
 2 operation.
 3 GENERAL NAIDOO: Chair, that is not
 4 correct as I indicated and the reference to back up does
 5 not necessarily mean back up in terms of policing. The K9
 6 units, yes, were there to support. When there's reference
 7 to back up I would take it in the broadest possible sense,
 8 was to support and the word we've been using thus far. And
 9 bringing in the medics is one of the support issues which I
 10 was asked to back up the tactical units. So I still
 11 maintain that the affidavit doesn't have sufficient detail
 12 in terms of discussing this and just in that context it's
 13 now being referred to as being something a little less than
 14 sinister or more than sinister so maybe to clarify that it
 15 would be important to clarify it with the driver because I
 16 already testified in terms of where our intention was to
 17 go.
 18 CHAIRPERSON: Mr Chaskalson, when we
 19 reach a convenient stage would you let me know. It's just
 20 about 3 o'clock. I was supposed to take the tea
 21 adjournment, but if you want to round this point off.
 22 MR CHASKALSON: I would like to round the
 23 point off, Chairperson, because I'm about to move to a very
 24 different point. Major-General, I have to put to you that
 25 when I look at the objective evidence in relation to times

Page 23488

1 and I look at the statements that all of the SAPS members
 2 have given it seems very strongly to me that you, that the
 3 version that you put forward today that you went into
 4 koppie three just to assist SAPS to secure the situation
 5 and to assess the situation and with a view to opening up a
 6 route for the medics is in fact a false version that's
 7 designed to avoid the responsibility that you should bear
 8 for leaving people on the ground at scene 1 bleeding and in
 9 at least one case it seems dying in wholly avoidable
 10 circumstances for a full hour after the R5 volley opened up
 11 on them. What is your comment to that?
 12 GENERAL NAIDOO: Chair, I think saying
 13 that I was avoiding my responsibility is far from the truth
 14 because I think these incidents and the whole scenario
 15 occurred as I indicated it and it has been verified in
 16 terms of my AVL. It shows that we originally tried to go
 17 directly to scene 1. And secondly I think we have also in
 18 regard to the persons that were injured at scene 1, we've
 19 also illustrated a video which showed that there was the
 20 additional medics that were activated by the JOC who were
 21 and maybe we'll have to determine the time were standing
 22 off and could not approach scene 1 because of the incident
 23 of the mob, so I accept that I did not get to where I was
 24 required on time because of the circumstances I have
 25 indicated but the insinuation that I was avoiding my

Page 23489

1 responsibility I reject that.
 2 MR CHASKALSON: But I have to come back
 3 on one aspect of that answer and with your leave, Chair,
 4 and then if we can move on. You say you have demonstrated
 5 that medics had to be held back because they were attacked.
 6 Well, Major-General, there is no evidence whatsoever that
 7 there was any attack on any medic in the full hour that it
 8 took the SAPS to get medics to scene 1, 59 minutes and I
 9 think 40 seconds it took to get medics to scene 1 after the
 10 shootings. There is no evidence whatsoever that there were
 11 any attacks on medics or any attempt to stone convoys or
 12 anything like that in that period. What evidence are you
 13 referring to?
 14 GENERAL NAIDOO: Chair, I referred to the
 15 video that we showed on Monday and if I remember correctly
 16 you indicated but those are medics who can be contacted and
 17 can be verified what happened there because of the
 18 particular footage did not show the object was being
 19 thrown, whether it did strike or get near the ambulance and
 20 I think at that stage the indication was maybe those medics
 21 should also – their version should also be obtained to give
 22 some perspective to the video that we showed which was an
 23 ETV video.
 24 MR CHASKALSON: Major-General, whatever
 25 that video does or doesn't show it's a video of events that

Page 23490

1 happened well after the one hour period that I'm talking
 2 about. That's after the one hour. It's after some medics
 3 had finally been brought to the dying and wounded at scene
 4 1.
 5 GENERAL NAIDOO: Chair, I don't remember
 6 us dealing with the issue of time. I think that's
 7 something also that would have to be addressed.
 8 CHAIRPERSON: All right. Well, let's
 9 address it later and let's take the tea adjournment now.
 10 GENERAL NAIDOO: Thank you.
 11 [COMMISSION ADJOURNS COMMISSION RESUMÉS]
 12 [15:33] CHAIRPERSON: Major-General, you're still
 13 under oath.
 14 GENERAL NAIDOO: Thank you Chair.
 15 CHAIRPERSON: Mr Chaskalson.
 16 MR CHASKALSON SC: Thank you,
 17 Chairperson. Major-General I now want to move to the
 18 consequences of your failure to get medical treatment to
 19 the wounded victims at scene 1. And in this regard I am
 20 going to refer to the expert report of Professor Boffard.
 21 It's MMM10. And much of Professor Boffard's report is of a
 22 technical nature. I don't want to go into the details of,
 23 the technical details with you, it's something that SAPS
 24 will obviously address through their own expert if they
 25 aren't satisfied with Professor Boffard's report. What

Page 23491

1 Professor Boffard was briefed to do was to look at the post
 2 mortem records of the 17 victims who died at scene 1 and to
 3 express a view, having regard to the nature of their
 4 injuries, the availability of medical facilities or the
 5 proximity of medical facilities with the capacity to deal
 6 with those sorts of injuries. Whether their deaths could
 7 have been avoided if medical attention had been brought to
 8 them 30 or 40 minutes earlier than it did, in other words
 9 it took a full hour to bring paramedics to scene 1.
 10 Professor Boffard was asked to express a view on whether
 11 any lives would have been saved, could have been saved if
 12 paramedics had got to scene 1 not an hour after the event
 13 but 20 to 30 minutes after the event. I want to refer only
 14 to one passage in Professor Boffard's report where he
 15 discusses his approach in the report. And it's on page 19.
 16 In the technical section of the report, I just want to
 17 refer to page 19. A bit, and we get an outline of what his
 18 approach is. It must be borne in mind there were only
 19 three possible areas of intervention, (a) those injuries
 20 treatable within the scope of pre-hospital care providers
 21 who were available on the scene, the majority of whom would
 22 have been intermediate life support providers, paramedics
 23 in other words; those patients with injuries who once
 24 transported to the nearest hospital could have been
 25 stabilised or dealt with by that hospital. There were only

Page 23492

1 two nearby hospitals, Brits, 35 kilometres, 40 minutes,
 2 Rustenburg, 43 kilometres, 45 minutes. Those patients with
 3 injuries which were of such a severe level that they could
 4 only have been dealt with by level 1 or good level 2
 5 hospitals and he identifies what those hospitals were and
 6 how far away they were. The survival of individual
 7 patients is dependent on the realistic time frame between
 8 when they received their injury and when they could have
 9 reached care of a sufficient calibre to provide the chance
 10 of survival, taking into account the circumstances and
 11 logistics prevailing. I've therefore classified the death
 12 of these patients with the theoretical potential to survive
 13 into preventable, potentially preventable and non-
 14 preventable. So that's the broad scheme of his report. I
 15 don't want to go through all of the individual details of
 16 the individual patients but I do want to focus on one case
 17 just to illustrate the catastrophic consequences of the
 18 delay of the arrival of medical treatment at scene 1. The,
 19 Chair, I just want to be clear that the family of the
 20 particular patient who is Mr Mdze, have been notified and
 21 are not going to be distressed.
 22 MR NTSEBENZA: Mr Chairman, I understand
 23 that there has been a meeting with the family of Mr Mdze.
 24 The fullest extent of what is conveyed in the Boffard
 25 report has been communicated to them. They were told that

Page 23493

1 there are instances in the report which are describing a
 2 fairly graphic nature and the consequences of what would
 3 have happened if and when the aid was delayed and all of
 4 those, have been fully explained to them. They are quite
 5 comfortable with the evidence being led in their presence.
 6 MR CHASKALSON SC: And Chairperson, in
 7 the, as this cross-examination goes on there will be scenes
 8 of a particularly graphic nature and I think it would be
 9 appropriate to give the warning now so that people who want
 10 to leave do leave.
 11 CHAIRPERSON: I'm informed that there are
 12 going to be scenes, as is being put, of very graphic
 13 nature, going to be seen by us, shown to us. They are
 14 likely to cause emotional trauma and distress to the
 15 relatives and loved ones of some of the persons who died at
 16 Marikana on the 16th August, and I'm going to ask that we
 17 did not receive any evidence or any material of this kind
 18 until a minute has elapsed after what I'm now saying is
 19 being interpreted, for those who are following on
 20 headphones, to give them an opportunity if they wish to
 21 leave the chamber. The minute will start now. Mr
 22 Chaskalson, I think you may now proceed.
 23 MR CHASKALSON SC: Thank you, Chair. The
 24 case of Mr Mdze is dealt with at page 24 of Professor
 25 Boffard's report. If we can go to page 24. And there

Page 23494

1 under paragraph 4.10 the Professor lists the injuries
 2 suffered by Mr Mdze and then states the following, "This
 3 patient has significant high energy injuries to his arm and
 4 to a lesser extent his leg. His head wound from a shotgun
 5 pellet was relatively minor with a small sub-arachnoid
 6 haemorrhage. He had eight shotgun pellets into his lower
 7 torso from behind. It appears that most of these lodged in
 8 muscle with a laceration of the upper pole of the right
 9 kidney. All of these would be classified as low energy
 10 wounds. Although there was bleeding described, there was
 11 no intra-peritoneal blood collection and some blood in the
 12 retro-peritoneal space and extra peritoneal pelvis. It
 13 should be noted that the blood loss described above, in
 14 other words the internal bleeding, was probably not an
 15 immediate threat to life on its own. Although it is
 16 conjecture, it seems that he exsanguinated externally and I
 17 would suggest that the most likely site of massive bleeding
 18 was from the upper limb fracture with massive damage to the
 19 vessels and soft tissue." With regard to the TRISS scoring,
 20 which is a system that Professor Boffard has explained
 21 earlier in his report, "he is predicted as having a greater
 22 than 90% chance of survival and the cause of death was
 23 failure to control bleeding in a timeous fashion due to
 24 non-availability of medical personnel. Bleeding in the
 25 upper and lower limb could have been controlled by direct

Page 23495

1 pressure on the vessels or a tourniquet. This death is
 2 potentially preventable had medical care reached him
 3 earlier." So that is the case of Mr Mdze. According to
 4 Professor Boffard he bled to death, principally from a limb
 5 in his left arm.
 6 CHAIRPERSON: Injury to the limb, I
 7 think. You mean an injury or laceration of the left arm?
 8 MR CHASKALSON SC: A wound to his –
 9 CHAIRPERSON: A wound.
 10 MR CHASKALSON SC: And R5 bullet wound to
 11 his left arm, in fact two R5 bullet wounds to his left arm.
 12 I now want to show the commission the circumstances in
 13 which Mr Mdze died because I need you to see those
 14 circumstances so that I can put some questions to you in
 15 relation to him. And if we can start by showing a video
 16 JJJ194.32, 194.32. And before we start if I can identify
 17 Mr Mdze, he is the man lying at the back, lying behind the
 18 other victim in this shot. He has a blue blanket draped
 19 over him diagonally and dark trousers and a greyish top.
 20 If we can play the video because we'll see – before we play
 21 the video, let me indicate when this video is taken. It's
 22 taken 14 minutes and 15 seconds after the shooting at ETV
 23 time 16:08:05 and we'll see that Mr Mdze is definitely
 24 alive and breathing heavily.
 25 [VIDEO SHOWN]

Page 23496

1 Now –
 2 CHAIRPERSON: Is there an exhibit number
 3 of the video?
 4 MR CHASKALSON SC: It was JJJ194.32.
 5 CHAIRPERSON: Thank you. Now Major-
 6 General this is a video taken at 16:08:05. If we can
 7 translate that time into something that makes sense in
 8 terms of your own movements. It's 14 minutes and 15
 9 seconds after the shootings. 14 minutes and 15 seconds.
 10 It is 13 minutes and 45 seconds after we saw your vehicle
 11 on the CTrack AVL records come back to the intersection
 12 from the main road after its detour, ostensibly with the
 13 intention of taking medical personnel to scene 1. It's 10
 14 minutes and 20 seconds after you took your convoy off the
 15 main road around the wrong side of the big sub-station.
 16 It's 9 minutes and 40 seconds after you started your first
 17 four-minute idling period at the power station. It's five
 18 minutes after you started your second four-minute idling
 19 period at the power station. Do you accept that if your
 20 convoy had headed straight to the shootings from your
 21 position when you came back to the main gravel road after
 22 your detour, by any of the blue, green, red or purple
 23 routes on MMM5, that paramedics would have reached Mr Mdze
 24 long before the shot was taken?
 25 GENERAL NAIDOO: Chair, yes possibly.

Page 23497

1 MR CHASKALSON SC: On what basis would
 2 they not have reached him before the shot was taken?
 3 What's the possibility that one cannot rule out?
 4 GENERAL NAIDOO: At this stage, Chair,
 5 none particularly comes to mind but I am working on the
 6 presumption that you made, I am saying yes, we could
 7 possibly agree with that.
 8 MR CHASKALSON SC: Well can you offer me
 9 any explanation as to why they wouldn't have reached Mr
 10 Mdze before this shot was taken if they had followed any of
 11 those five routes?
 12 GENERAL NAIDOO: Chair, I'm not familiar
 13 with the terrain of those five routes, this is why I am not
 14 closing the presumption that we may have had a problem. So
 15 I'm not disagreeing with the presumption they put, I am
 16 putting the possibly because I do not have the factual
 17 information about the terrain that was referred to.
 18 MR CHASKALSON SC: Do you accept that if
 19 you had decided to turn around when your convoy stopped at
 20 the side of the power station instead of sending your
 21 canine vehicles forward, after your first idling period, in
 22 other words do you accept that if you hadn't started your
 23 second idling period, paramedics would have reached Mr Mdze
 24 within a couple of minutes of the shot?
 25 GENERAL NAIDOO: I'm not sure about the

Page 23498

1 estimation of time but yes, I'm sure he would have reached,
 2 we would have reached the scene much quicker than we, on
 3 the given route that we have taken, yes.
 4 MR CHASKALSON SC: Well I want to put to
 5 you that if you had turned around instead of starting your
 6 second idling period, if we look at the distance that you
 7 made when you weren't idling, that you would have reached
 8 the scene certainly no more than five minutes after that
 9 shot that we see now. Can you dispute that?
 10 GENERAL NAIDOO: I'm saying that it could
 11 be possible.
 12 MR CHASKALSON SC: I'm asking you a
 13 different question. I'm asking you if you can dispute it?
 14 GENERAL NAIDOO: Taking which route,
 15 Chair?
 16 MR CHASKALSON SC: Taking any of the
 17 routes to scene 2 that are depicted in MMM5, scene 1, not
 18 scene 2.
 19 GENERAL NAIDOO: Chair, based on what I
 20 said previously, without having the specific knowledge of
 21 the terrain, I said it is possible that if we would have
 22 been there quicker, yes.
 23 MR CHASKALSON SC: I must repeat my
 24 question, Major-General. I'm asking you if you can dispute
 25 it, if you have anything to gainsay it, not whether you

Page 23499

1 accept it but whether you can dispute it, what's your
 2 answer to that?
 3 GENERAL NAIDOO: Chair, I think that's
 4 the point I'm trying to make is that I am not in a position
 5 to dispute it without any specific information and I think
 6 that's the point I'm trying to make.
 7 MR CHASKALSON SC: Major-General, it is
 8 now more than 18 months, maybe not more than 18 months, it
 9 is more than 18 months since these events took place. Has
 10 it not sat on your conscience that if you had reacted
 11 differently and you had taken medics to the scene, things
 12 may have been different?
 13 GENERAL NAIDOO: Chair, one regret, any
 14 loss of life or injury when we execute our duties as the
 15 police, the number one price for us in executing these
 16 duties is we execute it in the manner that no person is
 17 injured or no person is killed, based on the current
 18 framework we have and which we work in. So obviously the
 19 fact that people have died, whether directly or indirectly
 20 by any action or omission on my part is regrettable. And
 21 it's not something one forgets easily. All the people that
 22 were injured and the people who were killed, unlike most of
 23 the people that have testified, I'm one of the few people
 24 that was there who has seen people that were injured and
 25 killed and that weighs heavily on one because one is human

Page 23500

1 and its not something one wishes.
 2 MR CHASKALSON SC: Have you not wanted to
 3 know whether things would have been different, whether
 4 there were routes, whether the terrain would have stopped
 5 you anyway, have you not wanted to know that?
 6 GENERAL NAIDOO: Chair, I have been back
 7 to the scene of the incident, or I have been to the scene
 8 of the incident three times. Once during the course of the
 9 incident, once during the SAPS reconstruction and once
 10 during the inspection in loco. At either of the two,
 11 second time, I have never been to the immediate response
 12 area or the forward holding area because of the route we
 13 used via the Marikana Police Station. So one would, yes,
 14 would like to reflect and have introspection in terms of
 15 these things and I think this is the purpose of this
 16 commission, to help us conduct that introspection and
 17 indicate to us things that could have been done better and
 18 should have been done better so that we rectify. This is a
 19 platform for us to account in terms of some of these
 20 things. So yes, one always wonders and one wants to know
 21 professionally, could you have done better? Why didn't I
 22 do this?
 23 [15:53] These questions are something every human being
 24 if they have a conscience and they have these things on the
 25 mind will subject themselves to and I am no different from

Page 23501

1 that.
 2 MR CHASKALSON SC: But you, yourself on
 3 the occasions that you have gone back to Marikana have not
 4 had the curiosity to explore the alternative routes to see
 5 if there were alternative routes, to see how long they
 6 would have taken to put your own conscience at rest in that
 7 respect.
 8 GENERAL NAIDOO: Chair, I think the
 9 approach that I have taken was to maintain the body of
 10 information that I had and keep it, because of the time
 11 span, to keep it as fresh as possible so that this day when
 12 I come here to present my evidence that I am in a position
 13 to present it without any prejudice or without any
 14 diversion from what experienced and how I perceived things.
 15 Yes, one would want to go and drive there and see how did
 16 we do this, why did it take so long. But I don't think at
 17 this time without these processes passing it is the ideal
 18 time to do such things.
 19 MR CHASKALSON SC: Let's move to the next
 20 video. If we can go to JJJ194.36.
 21 CHAIRPERSON: Mr Budlender, we have got
 22 about five minutes left, we have been asked to – I have
 23 made a mistake the second time. Mr Chaskalson, we have
 24 been asked to make sure we end promptly at 4. So we have
 25 got five minutes left by my watch. If you can deal with

Page 23502

1 this video in five minutes you can carry on, otherwise we
 2 will have to proceed in the morning.
 3 MR CHASKALSON SC: I think we must
 4 proceed in the morning because I can't –
 5 CHAIRPERSON: Very well, we will then
 6 adjourn until 9 o'clock tomorrow morning.
 7 [COMMISSION ADJOURNED]
 8 .
 9 .
 10 .
 11 .
 12 .
 13 .
 14 .
 15 .
 16 .
 17 .
 18 .
 19 .
 20 .
 21 .
 22 .
 23 .
 24 .
 25 .

<p>A</p> <p>able 23345:2 23350:5 23354:15 23400:13 23401:25 23402:22 23403:24 23404:1,17 23408:8,15 23409:21 23415:4 23418:13 23451:21 23452:4 23466:6,9,16 23477:2</p> <p>absolutely 23348:5 23478:12</p> <p>abstract 23467:13</p> <p>acceded 23419:6</p> <p>accept 23344:10 23352:8 23354:25 23355:7 23358:7 23359:23 23364:5 23411:23 23412:25 23429:11 23488:23 23496:19 23497:18 23497:22 23499:1</p> <p>acceptance 23358:11</p> <p>accepted 23380:7,13 23418:16 23422:13</p> <p>access 23396:22 23457:25 23468:9</p> <p>accessed 23362:13,14</p> <p>accidentally 23449:7</p> <p>account 23380:14,14 23467:7 23468:16 23471:24 23492:10 23500:19</p> <p>accounting 23374:9</p> <p>accounts 23479:17</p> <p>accurate 23341:6,8 23426:5</p> <p>accurately 23423:19 23425:7</p> <p>action 23382:8 23389:20 23451:18 23499:20</p> <p>activated 23488:20</p> <p>actual 23395:17 23434:7</p> <p>adamant 23381:14</p> <p>add 23349:6 23360:1 23480:14,16</p> <p>added 23470:7</p> <p>additional 23339:25 23340:24 23488:20</p> <p>address 23339:7 23482:2 23490:9,24</p> <p>addressed 23490:7</p> <p>adequately 23391:11</p> <p>adjourn 23412:16 23502:6</p> <p>ADJOURNED 23502:7</p> <p>adjourning 23375:13</p> <p>adjournment 23384:9 23405:5 23487:21 23490:9</p> <p>ADJOURNS 23375:11 23405:6 23448:15 23490:11</p> <p>adjust 23480:4,12</p>	<p>adjusted 23392:11</p> <p>Admittedly 23456:24</p> <p>Adv 23440:21</p> <p>advance 23453:25</p> <p>advanced 23409:18 23453:19 23467:18 23478:3</p> <p>advancing 23380:19 23448:1 23462:8</p> <p>advocate 23389:25</p> <p>affect 23369:8</p> <p>affidavit 23482:22,24 23483:16,19,24 23484:7,8,10 23486:4 23486:14 23487:11</p> <p>afraid 23430:18</p> <p>age 23369:8</p> <p>agency 23359:2</p> <p>aggravated 23386:10</p> <p>aggressive 23461:3</p> <p>ago 23354:1 23454:8</p> <p>agree 23414:17 23456:22 23462:10 23462:19 23465:22 23497:7</p> <p>agreement 23339:4,10</p> <p>ah 23419:9,19</p> <p>ahead 23352:21 23358:3 23419:15</p> <p>aid 23493:3</p> <p>alight 23387:16 23463:9</p> <p>alighted 23462:16</p> <p>alive 23495:24</p> <p>alleged 23447:18</p> <p>alley 23416:24</p> <p>allow 23391:4 23469:7</p> <p>allude 23406:22</p> <p>alongside 23379:17 23389:18 23414:20</p> <p>alright 23340:1 23343:21 23351:5 23358:14 23376:19 23377:10 23418:23 23427:11,17 23429:3 23474:22 23484:10 23484:13</p> <p>alternative 23412:23 23501:4,5</p> <p>altogether 23418:3</p> <p>ambulance 23489:19</p> <p>ambulances 23386:18 23438:5</p> <p>amiss 23468:13,14</p> <p>ammunition 23381:9 23392:8</p> <p>analysed 23344:9</p> <p>annexure 23366:22 23437:1</p> <p>answer 23383:18 23423:17 23428:15 23428:25 23432:1 23439:22 23460:9 23461:12 23465:5 23473:18,18 23475:23 23476:2,3,7</p>	<p>23481:7,18 23489:3 23499:2</p> <p>answered 23365:4,7,8 23365:9,20 23367:12 23438:22</p> <p>answering 23482:15</p> <p>answers 23345:1 23476:23</p> <p>anticipation 23342:11 23383:9 23424:25 23426:18</p> <p>anybody 23457:24 23458:1 23467:18 23477:7</p> <p>anymore 23387:17</p> <p>anyway 23391:17 23392:25 23394:7,15 23395:11 23400:2 23432:1 23439:10 23500:5</p> <p>apart 23354:24 23456:14</p> <p>apologise 23373:15 23470:1</p> <p>apparent 23457:10</p> <p>apparently 23412:12 23417:23 23429:1 23431:4</p> <p>appear 23351:10 23447:17</p> <p>appears 23368:17 23384:25 23431:2 23479:18 23494:7</p> <p>applies 23469:24</p> <p>appreciated 23457:21</p> <p>approach 23394:13 23454:1 23459:15,16 23459:18 23460:2,3,4 23462:4 23463:2 23464:22 23468:3,3 23471:4,5 23475:8 23478:1 23488:22 23491:15,18 23501:9</p> <p>approached 23435:6 23459:11 23462:1,2 23462:12 23464:10 23464:11 23470:23 23472:5,9 23485:2</p> <p>approaches 23470:22</p> <p>approaching 23351:8 23454:3 23455:15,17 23455:18 23464:15 23464:21 23465:12 23471:7 23473:3</p> <p>appropriate 23410:5 23493:9</p> <p>approximate 23354:18 23354:19 23364:17 23374:6</p> <p>approximately 23352:5 23353:11 23354:23 23354:24 23355:23 23389:7 23423:7,14 23470:14</p> <p>approximations 23374:9</p>	<p>area 23342:9 23349:6,7 23349:8,10,11 23360:22,24,25 23361:2,4,4,13,17,22 23361:23 23363:7 23374:23 23378:19 23382:22 23390:18 23390:20,20 23396:1 23396:9,10,12,12,13 23398:9,11,25 23399:3 23401:7 23406:18,21 23407:13,17,18,22 23408:9,16,24 23409:1,2 23411:15 23413:6,14,15,16,22 23413:22 23414:2,10 23414:11 23415:14 23416:19,20 23420:4 23421:9,18 23436:23 23440:5 23464:14,21 23465:11 23500:12 23500:12</p> <p>areas 23491:19</p> <p>aren't 23483:15 23490:25</p> <p>argument 23461:8</p> <p>arm 23494:3 23495:5,7 23495:11,11</p> <p>armoured 23368:19,21 23368:24</p> <p>arose 23393:13</p> <p>arrangement 23408:5 23441:7</p> <p>arrangements 23375:6 23375:8 23407:5</p> <p>arrest 23462:13</p> <p>arrested 23485:17</p> <p>arrival 23459:10 23461:25 23464:12 23492:18</p> <p>arrive 23485:9</p> <p>arrived 23339:4 23402:11 23440:24</p> <p>arrow 23393:9,14</p> <p>arrows 23413:6 23416:6 23422:22</p> <p>ascertain 23477:5,8</p> <p>aside 23468:4</p> <p>asked 23339:3 23346:14 23368:18 23371:2 23421:3,13 23441:7 23463:23 23467:14 23469:8 23473:21 23478:15 23478:18 23481:16 23487:10 23491:10 23501:22,24</p> <p>asking 23342:13 23345:19 23481:4 23498:12,13,24</p> <p>aspect 23440:16 23489:3</p> <p>aspects 23339:15 23344:1 23486:15</p> <p>assegais 23471:1</p>	<p>assess 23430:8 23433:25 23434:11 23488:5</p> <p>assessed 23453:6</p> <p>assessment 23410:5 23442:2 23480:9,21</p> <p>assist 23371:9 23488:4</p> <p>assume 23414:18 23436:15</p> <p>assumed 23369:15 23409:7 23410:10 23415:9 23416:5 23422:1,21 23435:23</p> <p>assumption 23393:6 23394:6 23401:18 23404:13 23409:13 23421:17 23428:1 23436:25 23466:18 23472:24 23481:23</p> <p>assumptions 23401:17 23408:19</p> <p>attached 23380:21</p> <p>attack 23380:9,20,22 23470:25 23489:7</p> <p>attacked 23489:5</p> <p>attacks 23489:11</p> <p>attempt 23344:13 23347:4,10 23370:2 23489:11</p> <p>attempted 23344:5 23351:16</p> <p>attempting 23395:24</p> <p>attention 23428:19 23491:7</p> <p>attitude 23380:18</p> <p>August 23340:5 23493:16</p> <p>authentic 23484:6</p> <p>authenticates 23391:14</p> <p>automatic 23466:9,15 23478:12</p> <p>availability 23491:4</p> <p>available 23345:17 23368:12 23386:23 23412:23 23491:21</p> <p>average 23352:5</p> <p>AvL 23339:14,19 23340:4,18,20,25 23341:15 23344:16 23346:24 23347:10 23351:13 23352:23 23354:20 23358:24 23359:1,8,11 23367:24 23368:12 23368:17,18,22 23369:1,2,5,7,16 23370:4,8,15,17 23385:16 23393:21 23393:22 23394:1,20 23395:22 23396:3 23410:20 23488:16 23496:11</p> <p>avoid 23368:13 23372:17 23416:12 23488:7</p> <p>avoidable 23488:9</p>
--	--	---	--	---

<p>avoided 23491:7 avoiding 23488:13,25 aware 23458:5 23461:4 23481:9 A8 23423:22</p> <hr/> <p style="text-align: center;">B</p> <p>back 23345:22 23351:12 23361:8,13 23363:6,6 23364:9 23365:14,15,23 23367:13 23369:20 23372:6 23373:3 23378:22 23382:22 23386:20 23387:6,9 23388:18 23389:11 23396:22 23398:14 23399:6 23401:6 23405:3 23406:15 23409:24 23410:2,14 23410:16 23411:25 23412:3,20 23413:5,6 23420:11 23424:17 23424:19 23426:4 23429:8 23433:9 23434:11 23441:8 23444:6 23448:23 23450:15,19 23459:21 23470:6 23485:18 23486:3,9 23486:12,23 23487:1 23487:4,5,7,10 23489:2,5 23495:17 23496:11,21 23500:6 23501:3</p> <p>backup 23485:1 backwards 23437:25 23471:3</p> <p>bad 23450:13,13 bakkie 23475:16 barbed 23366:11 23412:25 23436:2</p> <p>barrier 23385:8 base 23408:19 based 23347:6 23420:20 23421:17 23436:3 23453:6 23498:19 23499:17</p> <p>basically 23395:4 23428:21</p> <p>basis 23339:14 23354:17 23356:4 23357:20 23390:9 23400:2 23415:3 23427:16 23434:15 23467:4,11 23468:22 23497:1</p> <p>bear 23488:7 bearings 23450:16 becoming 23478:24</p> <p>bed 23431:21,22 23432:4</p> <p>beg 23447:21 23466:10 23474:25</p> <p>beginning 23440:22 begins 23443:23</p>	<p>23446:21 begun 23470:22 23475:22 belief 23416:25 believe 23479:1 benefit 23344:25 best 23363:25 23381:18 better 23349:15 23351:2 23402:13 23430:23 23432:13 23433:8 23457:23 23500:17,18,21</p> <p>big 23415:7 23416:14 23445:7,12 23486:25 23496:15</p> <p>bigger 23362:20 bit 23349:14 23356:25 23359:18 23363:2 23391:24 23393:16 23400:9 23402:7 23432:16 23444:18 23448:21 23491:17</p> <p>Biyela 23463:15,22 23464:19</p> <p>Biyela's 23464:5 Bizos 23391:23 black 23444:5 blanket 23485:15 23495:18 bled 23495:4 bleeding 23450:8,18 23488:8 23494:10,14 23494:17,23,24</p> <p>blew 23455:12 blind 23416:24 block 23412:8,21 23423:21 23445:8,10 23455:25</p> <p>blood 23494:11,11,13 blue 23413:6 23455:12 23456:17 23495:18 23496:22</p> <p>boarding 23369:9 body 23501:9 Boffard 23345:10 23346:9,14 23490:20 23491:1,10 23492:24 23494:20 23495:4</p> <p>Boffard's 23490:21,25 23491:14 23493:25</p> <p>book 23380:5 23392:7 23392:13</p> <p>boom 23414:3 23435:6 borne 23491:18 borrowed 23485:15 bottom 23360:3 23384:13 23395:19 23428:4 23432:22 23436:8 23444:3 23455:16</p> <p>brackets 23455:5 break 23375:7,8,9 23451:1</p> <p>breathing 23495:24 brick 23389:19 23399:11,17 23404:6</p>	<p>briefed 23470:14 23491:1 briefing 23472:16 23475:5 23481:9 Brigadier 23355:13 23364:21,24 23365:4 23365:8,17,21 23366:3,4,9,12,15,16 23366:19,24 23367:1 23367:2,4,6 23368:3 23368:11,17,24 23370:24 23371:14 23371:18,24 23373:11 23388:17 23388:19 23389:10 23395:9,13 23431:13 23431:20 23444:1 23457:12,16</p> <p>bring 23407:7 23420:19 23491:9</p> <p>bringing 23487:9 Brits 23492:1 broad 23339:22 23492:14</p> <p>broadest 23487:7 broadly 23354:15 broke 23355:18 23467:20</p> <p>broken 23450:20 brought 23416:19 23452:9 23490:3 23491:7</p> <p>Budlender 23501:21 built 23409:1 bulk 23432:7 23434:10 bullet 23471:2 23495:10,11</p> <p>bullets 23452:7 bundle 23469:23 burning 23485:14 bush 23459:23 bushes 23459:21,22 23470:24,25</p> <p>business 23424:19 busy 23345:8,8 23464:15,21 23465:12</p> <p>B-I-Y-E-L-A 23463:15 23463:16</p> <p>B-O-F-F-A-R-D 23346:9 B8 23423:23</p> <hr/> <p style="text-align: center;">C</p> <p>cake 23373:16 calculated 23353:2 calibration 23353:10 23354:22</p> <p>calibrations 23354:19 calibre 23492:9 Calitz 23357:5 23364:21,24 23365:17 23366:5,12 23366:15,16 23367:1 23367:2,5,6 23371:14 23388:17,19</p>	<p>23389:10 23395:9,13 23431:13,21 23457:12 Calitz's 23355:13 23356:12 23365:4,8 23365:21 23366:3,9 23366:19,24 23368:3 23368:11,18,24 23370:24 23371:18 23371:24 23444:1 23457:16</p> <p>call 23340:9,16,17 23341:4,12 23355:13 23355:15,17 23356:6 23356:14,21 23364:21,23 23365:4 23365:5,8,11,11,13 23365:17,20,22 23366:7,15 23367:1,7 23367:12,13 23368:11 23371:17 23371:20,20 23388:17,19 23407:6 23407:10 23410:6 23412:4 23459:8 23468:14 23485:19</p> <p>called 23340:24 23349:22 23355:23 23380:16 23483:24 23485:6</p> <p>calling 23473:14 calls 23355:11</p> <p>camera 23366:24 23367:4 23417:16 cameras 23375:21 CAMG4S 23375:21 canine 23457:16 23464:11 23497:21</p> <p>canines 23466:14 cannon 23455:12,18 23456:7</p> <p>can't 23367:23 23369:3 23373:5,9 23379:8 23382:3 23424:5 23427:20,25 23428:17,22 23452:19 23456:10 23462:20 23485:19</p> <p>capable 23435:18 23454:11</p> <p>capacity 23435:6 23491:5</p> <p>car 23365:9,10,11,12 23365:16,21,23 23409:17</p> <p>care 23406:23 23491:20 23492:9 23495:2</p> <p>carry 23377:10 23424:19 23427:13 23432:2 23465:3 23502:1</p> <p>carrying 23464:16 23465:13,21</p> <p>case 23343:11 23354:19 23400:18</p>	<p>23453:18 23467:24 23473:19 23475:20 23483:22 23488:9 23492:16 23493:24 23495:3</p> <p>Casspir 23456:8 catastrophic 23492:17 catch 23475:18 catches 23367:4 cause 23411:7 23460:3 23493:14 23494:22</p> <p>caused 23350:25 23403:23 23466:22</p> <p>caution 23394:14 cautious 23388:2 CCC22 23347:12 CC2 23454:18 CC22 23348:9 23349:2 23350:16 23353:18 23423:5 23442:14 23443:4,5,13,16 23445:22 23446:10 23446:17 23451:2,2 23454:22,23 23455:4</p> <p>CC24's 23423:1 cell 23355:10 23364:18 23365:4,8,21 23371:17 23388:21 23406:5,14 23410:1</p> <p>certain 23340:24 23343:12 23355:11 23359:11 23369:7</p> <p>certainly 23392:25 23399:15 23448:6 23457:17 23465:23 23483:22 23498:8</p> <p>certainty 23477:6 chain 23366:11 Chairman 23427:10 23492:22</p> <p>Chaka 23475:11,12 challenge 23476:16 chamber 23369:19,20 23369:22 23493:21</p> <p>chambers 23345:10 chance 23473:18,22 23492:9 23494:22</p> <p>change 23387:8 charge 23482:15 check 23339:15,21,25 23386:23 23463:20 23463:23,24</p> <p>checking 23355:2 23481:23</p> <p>choose 23412:1 23413:4,9</p> <p>chopper 23348:10 23352:3 23380:8,8,12</p> <p>chosen 23413:15,17 23435:10</p> <p>chronological 23471:24 circle 23358:16 23443:24 23444:4 23445:4 23451:12 23455:9,13,15,17,19</p> <p>circling 23362:5</p>
---	---	--	--	--

<p>23366:10 23444:2,10 circulate 23350:18 circumstances 23408:24 23488:10 23488:24 23492:10 23495:12,14 clarify 23341:8 23364:2 23416:2 23487:14,15 class 23482:23 classified 23492:11 23494:9 clear 23348:7 23350:7 23354:2 23379:12 23388:22 23392:1 23393:9 23403:12,16 23404:9 23418:3 23428:8,12 23438:8 23448:12 23458:18 23492:19 clearer 23427:19,21,25 23428:9 clearly 23383:1 23388:25 23390:21 23391:4 23402:22 23418:8 23422:5 23432:21 23438:9,25 23439:8 23440:2 23447:17 23453:4 23471:12 click 23356:21 climbed 23367:17,18 23379:3 23380:2 climbing 23379:10 23383:5 clock 23354:12,12,20 23354:21 23355:15 23449:13 clocks 23480:4 close 23347:17 23371:9 23388:1 23415:24 closely 23444:18 closer 23393:17 23420:20 23424:22 23452:15 closing 23497:14 clutter 23397:12 23402:9 cluttering 23397:17 23411:15 Coin 23348:10 23352:3 23352:4,16 23353:5,6 coincidence 23367:11 colleagues 23373:16 23452:7 23458:12 23462:25 23465:21 23468:6 23472:12 collection 23494:11 collision 23479:21,23 Colonel 23339:20 23406:17,18,20 23407:8 23409:20 23410:9 23460:20 combined 23474:3 come 23350:5 23355:2 23369:20 23373:3</p>	<p>23398:14 23408:6 23410:16 23411:15 23412:20 23427:1 23428:7 23430:22 23436:2 23450:15 23463:10 23480:2 23489:2 23496:11 23501:12 comes 23374:18 23459:22 23461:22 23497:5 comfort 23375:6,8,9 comfortable 23426:25 23493:5 coming 23410:11,11 23415:18 23417:17 23417:23 23459:17 23462:5 23463:6 23470:12 23479:21 command 23464:10 23465:18 commander 23370:14 commanders 23370:2 commander's 23370:3 commencing 23406:20 comment 23460:5,6 23464:22 23478:18 23488:11 comments 23390:17 commission 23339:2 23344:1 23346:15 23349:17 23350:23 23375:11,11 23393:22 23395:23 23405:6,6 23448:15 23448:15,16 23467:14 23490:11 23490:11 23495:12 23500:16 23502:7 commissioned 23484:9 commissioner 23347:13,16 23348:5 23371:10,19 23372:1 23372:4 23378:11 23394:22 23398:6 23420:2,6,10,22 23421:10 23425:10 23440:6 23447:16,21 23448:2 23452:19 23453:8,21 23460:14 23466:7,12 23478:20 23478:25 23479:3 23483:14 Commissioners 23470:3 commissioning 23369:10 communicate 23343:18 communicated 23369:19 23492:25 communication 23364:24 company 23391:23 compares 23354:12 comparing 23358:17 complaint 23468:20</p>	<p>complete 23358:16 23465:5 completely 23349:24 23408:25 completeness 23360:1 complex 23409:1 comprised 23484:24 computer 23351:1 computers 23350:15 23351:2 concealed 23486:21 concede 23390:1 conceding 23390:11 concern 23359:16 23481:25 concerned 23345:24 23386:5 23402:17 23448:21 23449:4 23473:8 23477:4 23482:10,14 concerns 23480:23 23481:10 conclusion 23427:1 conduct 23500:16 confident 23393:20 23442:5 confine 23463:13 confirm 23344:11 23347:2 23407:6 23418:7 confronts 23477:25 confused 23361:21 23460:9 confusing 23432:25 confusion 23343:3 23347:2 23372:17 23377:6 23411:7 conjecture 23494:16 conscience 23499:10 23500:24 23501:6 consequence 23395:15 consequences 23490:18 23492:17 23493:2 consider 23346:14 23403:21 consideration 23370:10 considered 23476:22 consistent 23479:2 constable 23459:1 23460:1,5 23463:1,15 23463:22,23 23469:12,24 23470:10 23474:10 23474:23 23475:1,1,4 consternation 23369:25 constitutes 23467:8 consult 23467:5,6 23468:11 consultations 23478:21 contacted 23489:16 contain 23486:4 CONTD 23343:24 23406:1 contemporaneous 23476:18</p>	<p>contend 23427:1 contends 23428:12 content 23428:25 context 23385:21 23473:13 23479:20 23487:12 contextual 23470:13 continue 23343:22 23364:1 23474:9 continuous 23415:3 contradicted 23462:24 contradiction 23467:9 23467:11 23468:15 contribute 23427:5 control 23494:23 controlled 23494:25 convenience 23350:22 convenient 23353:16 23487:19 conversation 23367:6 23371:14,21,25 23383:17,24 23395:9 23395:13,15 23403:22 23457:12 23457:14,20,21,22 23458:1 conversions 23359:7 convert 23360:19 23374:14 conveyed 23431:2 23492:24 convoys 23489:11 convoy's 23399:6 coordinate 23457:15 coordinating 23454:2 23456:3 coordination 23457:10 23458:9,9 copies 23342:25 23391:18 23405:2,4 copy 23345:9 23348:5 23391:10,15,17 23412:13 corner 23431:5 23436:8 23444:3,15 correcting 23363:23 correctly 23366:21 23381:20 23397:8 23419:21 23441:12 23489:15 correctness 23339:11 correlation 23339:22 23389:9,15 23394:20 23443:22 corroborate 23457:4 corroboration 23397:6 couldn't 23388:6 23415:13 23419:4 23430:18 23431:18 23442:11 23476:20 could've 23450:19 23451:19 could've 23480:18 counsel 23345:7 23352:14 23469:8 23482:17</p>	<p>counterpart 23446:13 23447:4 couple 23352:7 23370:9 23497:24 course 23344:23 23346:1 23355:5 23356:2 23358:9 23366:2 23371:3 23394:19 23395:21 23396:6,8 23404:18 23447:25 23465:9 23477:4 23482:11 23486:7 23500:8 cover 23459:20 23460:23,24 23461:6 23462:8 23464:17 23465:14 23475:15 23486:15 covered 23472:4 covert 23370:6 co-ordinates 23339:18 23341:1 cramped 23386:8 create 23411:11 cross 23346:1 23399:24 crossed 23416:13 23444:25 23451:12 23457:9 cross-examination 23343:23,24 23345:11 23347:9 23399:14 23406:1 23466:20 23468:17 23469:23 23478:24 23493:7 cross-examined 23393:25 crowd 23464:8 23485:13 crowds 23458:3 crucial 23448:23 23478:12 cryptic 23380:14 CTrack 23358:17,19 23358:20,21,23,24 23359:8,9,21 23360:19 23363:13 23363:15 23364:7,14 23365:14 23374:12 23374:12,14 23388:12,14 23401:19,22 23429:11 23443:22 23496:11 CTV 23358:18,19 curiosity 23501:4 curious 23365:3 23449:15 23457:12 current 23499:17 cut-off 23478:7 C3 23433:11 C7 23344:3,6,12,14,18 23347:3,5 C8 23415:23 23423:22</p>
--	---	---	---	---

D

<p>D 23474:10 dam 23409:4 23477:23 23478:1,4 23479:24 damage 23394:8 23494:18 danger 23452:22 23453:2,22 dangerous 23387:24 23475:7 dark 23444:5,24,24 23495:19 date 23464:9 23477:16 dating 23477:17 day 23389:21 23390:10 23390:20 23391:15 23393:25 23406:9 23476:13 23484:17 23486:8 23501:11 days 23356:10,11 23466:3 dead-end 23415:1 23420:8 23421:2 deal 23361:18 23394:18 23395:16 23427:2 23449:20 23450:6 23467:7 23469:9 23473:21,23 23477:2 23491:5 23501:25 dealing 23357:18 23472:6 23490:6 deals 23460:12 dealt 23375:13 23453:1 23491:25 23492:4 23493:24 death 23448:25 23450:18 23492:11 23494:22 23495:1,4 deaths 23491:6 debate 23394:16 decided 23386:19 23395:16 23397:21 23402:7,13 23416:13 23451:24 23497:19 decision 23436:2 23441:5 23449:15 decisions 23449:13 decommissioning 23370:11 defective 23448:12 defensive 23463:11 definitely 23466:17 23495:23 degree 23394:13 delay 23375:2 23387:11 23411:19 23436:10 23492:18 delayed 23493:3 deliberately 23394:5 delivered 23408:2,3,12 demanding 23407:16 demand 23398:14 demands 23396:23 demarcated 23432:21 demonstrably 23344:2 demonstrate 23431:25</p>	<p>demonstrated 23489:4 Department 23428:5 depend 23416:20 23420:25 23458:15 dependent 23492:7 depending 23396:23 depends 23350:13 depicted 23498:17 depiction 23427:1 deploy 23398:15 deployed 23360:24 deployment 23407:20 deponent 23460:16 deposed 23394:10 describe 23341:3 23413:8 23425:7 23442:25 23443:2,9 23445:6 23454:9,11 23456:9 23479:20 described 23344:16 23360:16 23366:8 23384:10 23389:14 23389:16 23390:2 23426:19 23456:6,12 23456:14 23471:12 23494:10,13 describes 23391:12 23471:9 describing 23368:2 23385:22 23493:1 description 23390:5 23426:6,13 23445:21 23471:4,24 23485:23 descriptions 23477:23 designed 23488:7 despite 23366:4 23395:17 detail 23339:25 23344:22 23346:25 23421:7 23448:22 23486:4,15 23487:11 details 23340:25 23475:12 23490:22 23490:23 23492:15 determine 23485:13 23488:21 determined 23354:17 detour 23496:12,22 diagonally 23363:3 23445:10 23495:19 diagram 23366:22 dial 23356:10,25 dialling 23356:17 didn't 23348:22 23364:24 23369:17 23382:3 23384:21 23403:16 23410:4 23413:4,9 23414:21 23418:17 23419:8,13 23419:18,22 23420:7 23420:16 23422:10 23427:19,20 23429:10 23435:16 23438:24 23457:13 23460:3 23463:21 23464:18 23467:10</p>	<p>23467:19 23474:1 23479:1,1,4 23482:12 23486:24 23500:21 died 23491:2 23493:15 23495:13 23499:19 difference 23354:20 23400:4 23440:7 different 23408:25 23417:25 23427:2 23462:22 23468:10 23469:7 23480:4 23487:24 23498:13 23499:12 23500:3,25 differently 23499:11 difficult 23349:22 23360:9 difficulties 23343:17 23350:14 23408:11 23412:7 difficulty 23374:8 23412:5 Dintwe 23474:10,18,23 23475:4 direct 23407:21 23413:16 23414:16 23434:1,22,23 23435:10 23437:20 23437:21,24 23494:25 direction 23393:10,14 23398:13,17,18 23404:11 23411:13 23418:4,6 23420:13 23425:22 23435:5,22 23444:6 23450:13,13 23454:4 23458:17 23459:17,25 23462:6 23463:6 23471:18 23475:9 23479:23 directions 23345:19 23419:10 23485:11 directly 23377:25 23383:10 23415:16 23435:22 23461:15 23461:16 23467:9 23488:17 23499:19 disagreeing 23497:15 discharge 23482:18 disclose 23396:17 discover 23355:3 discredit 23402:18 discuss 23346:24 23472:12,16 discussed 23344:10,17 23344:19 23373:1 23384:8 23407:2 23456:23 discusses 23491:15 discussing 23344:22 23390:2 23448:24 23487:12 discussion 23382:12 23420:12,23 23436:1 dispersal 23458:5 dispersing 23458:3 dispersion 23453:25</p>	<p>23455:10 disposal 23412:22 23479:7 dispute 23426:9 23453:17 23472:3 23498:9,13,24 23499:1,5 disputing 23452:17 23472:8 distance 23351:17 23352:20 23372:10 23423:1,20 23430:12 23432:20,20 23447:18 23452:18 23498:6 distinct 23466:22,25 23467:8 distress 23493:14 distressed 23492:21 distribute 23442:17 distribution 23407:19 disturbing 23472:14 diversion 23501:14 document 23339:17,23 23339:24,24 23340:23 23341:9,10 23341:10,19,24 23346:2,7,8,13,20 23347:14,20,22,25 23350:18 23406:5,9 23468:20 documents 23341:25 23342:7,9,12,18 23343:7 23344:25 23345:5,5 23468:12 23470:2 doesn't 23366:6 23403:3 23461:7 23474:5 23486:2,15 23487:11 23489:25 dog 23455:22 23457:1 23470:22 23471:17 23475:11,17 dogs 23470:15,21 23475:11 doing 23368:9 23382:1 23384:9 23387:6,9 23408:11 23415:15 23419:25 23433:15 23434:3 23475:18 don't 23343:14 23352:1 23356:10 23359:4 23361:21 23366:15 23368:7 23369:12,15 23371:11 23375:24 23376:10 23385:7 23387:13,25 23388:3 23409:17 23414:19 23417:4 23426:10 23430:21 23432:12 23438:8 23451:21 23452:1,16 23453:17 23453:18 23456:21 23456:24 23458:19 23460:6 23467:23</p>	<p>23468:14,21 23469:3 23472:3 23473:24 23476:5,19,22 23477:14 23480:3 23481:13,17,25 23482:5 23483:7 23486:14 23490:5,22 23492:15 23501:16 dots 23444:2 double 23432:16 dramatically 23464:3 draped 23495:18 draw 23371:16,21 23462:17 23476:11 drawing 23460:25 23463:9 dried 23431:21,21 drive 23339:20 23415:24 23416:20 23429:13 23474:14 23501:15 driven 23372:9 23423:24 driver 23367:20 23372:15,16 23373:7 23378:13,13 23379:7 23381:16,24 23383:6 23384:9 23387:3,3,17 23388:2 23403:20 23416:19,23 23420:12 23421:8,14 23421:24 23430:9 23435:2 23482:24,25 23484:23 23487:15 drivers 23368:6 23397:2,6 driver's 23485:22 driving 23341:1 23367:21 23377:13 23385:2,2 23415:16 23415:25 23420:23 23428:18,19 23459:13 23462:4,14 23473:4 drop 23459:18 23462:6 drove 23374:23 23397:4 23415:18 23422:11 23423:13 dry 23432:4 due 23344:22 23366:2 23404:18 23447:25 23482:11 23494:23 duties 23499:14,16 duty 23464:7 23484:22 dwaalspore 23371:4 dye 23455:12 23456:17 dying 23449:4 23488:9 23490:3</p>
E				
<p>earlier 23346:18 23356:15 23388:24 23394:10 23421:13 23466:1 23491:8 23494:21 23495:3 early 23456:15 23466:2</p>				

<p>earth 23340:4,5,14,18 23341:17 23342:8 23351:24 23374:25 23375:2 23412:12,13 23423:20 23424:15 23424:21,23 23425:4 23425:8,11 23426:6 23426:12,13 23429:8 easier 23349:19 23443:20 23460:12 easiest 23355:12 easily 23499:21 east 23344:6,14 23347:5 23422:17 23423:9 23425:19,23 23430:1 23435:11,16 23435:17 eastern 23425:8,12 23426:3,3,4,7,14 edge 23448:7 23478:4 effect 23367:9,16 23400:1 23410:9 23476:11 effectively 23437:13 23476:10,15 eight 23355:23 23407:1 23450:2,14,17 23494:6 either 23352:7 23357:14 23362:20 23396:22 23398:13 23402:8 23409:4 23412:1 23418:6 23440:20 23442:12 23500:10 elapsed 23493:18 electronic 23340:4,10 23340:18 23341:17 23343:4,10 23347:17 23375:8 23376:1,18 element 23467:8 eleven 23388:15 embarrassment 23445:15 emergency 23346:17 23385:22 23386:18 23434:14 emotional 23493:14 emphasise 23354:18 23357:12 en 23416:13 enables 23396:21 ended 23365:11 23435:21 23480:5,18 ends 23365:11,13,17,22 23450:1 energy 23494:3,9 engage 23426:4 engaged 23357:20 23417:3 engine 23386:14,20 enquire 23478:21 ensure 23369:6 23370:3 23387:7 23406:22 23467:21 ensured 23407:19</p>	<p>entered 23459:24 entire 23448:3 23456:14 entirely 23466:21 23468:10 23469:9 entitled 23390:24 23391:8 23467:25 entry 23384:13 23385:1,4 equation 23357:16 equipment 23369:2,16 23370:4,17,19 equipped 23369:1 equivalently 23399:18 error 23355:3 23390:11 23422:9 errors 23417:4 erupts 23450:18 escorting 23414:3 23481:24 23482:2 especially 23457:1 essentially 23342:8 23377:4 23386:17 23415:25 23441:13 23479:21 establish 23369:11 estimate 23351:17 23353:12,12,13 23355:17,25 23356:5 23356:7 23357:13 23358:13 estimated 23351:22 23422:25 estimates 23357:19 estimation 23498:1 etcetera 23373:2 23382:13 23424:5 23460:25 ETV 23347:11 23348:12 23352:4 23353:19 23354:21 23357:15,17 23358:3 23358:3,18,18 23359:7,8,8 23366:13 23366:18,23 23374:15 23388:14 23401:21 23431:12 23443:6,14,22 23445:22 23446:10 23446:17,23 23455:5 23477:20 23479:10 23489:23 23495:22 event 23460:1 23462:25 23491:12 23491:13 events 23383:10 23489:25 23499:9 eventually 23409:6 23426:17 23436:17 everybody 23391:9 23411:21 23473:8 evidence 23339:13,19 23339:23,24 23341:9 23341:10,18 23344:1 23344:3,4 23347:1 23369:19 23371:8</p>	<p>23390:17 23393:5,20 23400:9 23402:5,16 23426:25 23427:22 23440:18 23467:5 23468:5,8 23471:20 23483:1 23487:25 23489:6,10,12 23493:5,17 23501:12 ex 23468:19 exact 23356:4 exactly 23348:8 23349:6 23357:15 23358:23 23366:16 23379:9 23382:3 23389:15,16 23390:16 23403:20 23443:23 23447:18 examination 23346:2 23477:9 exception 23370:6 execute 23499:14,16 executing 23499:15 exercise 23354:10,13 23355:10 23356:1,1 23357:12,13,20,21 23370:13 23422:24 23477:10 exhibit 23340:21 23345:17,21 23346:3 23346:5 23349:2 23350:3,6,7,8,9,16,17 23353:18 23366:9 23390:24,25 23391:2 23391:8,9,18 23405:7 23424:22 23426:18 23442:14 23443:4 23454:10,14,18 23458:24 23459:2 23463:15 23464:5 23476:6 23478:11,16 23480:13 23482:25 23483:7,8 23496:2 exhibited 23391:9 23426:12 exhibits 23339:10,11 23339:13,16,17 23340:2 23342:23 23343:12,17 23442:16 23476:7 exist 23375:25 23376:17 existed 23486:22 existence 23396:17 expect 23482:1 expectation 23481:25 expected 23467:16,21 experience 23393:5,7 23409:15 23413:21 experienced 23374:5 23402:24 23474:2 23501:14 expert 23346:15 23490:20,24 explain 23346:25 23347:19 23369:1 23372:13,19</p>	<p>23387:11 23389:8 23408:14 23427:20 23428:22 23439:23 23445:1 23450:11 23451:15 23452:5 explained 23384:20 23460:21 23462:18 23493:4 23494:20 explaining 23451:20 23468:13 explains 23466:23 explanation 23374:8 23382:16 23386:16 23388:9,11 23427:5 23436:10 23449:6 23450:12,15,21 23452:11 23473:20 23478:17 23481:15 23497:9 explicitly 23462:17 23463:8 explore 23448:10 23501:4 express 23491:3,10 expression 23483:24 exsanguinated 23494:16 extent 23492:24 23494:4 externally 23494:16 extra 23339:5 23494:12 extracted 23405:25 extraordinary 23367:11 23389:8 extreme 23349:11 eye 23449:11 E-L-E 23469:18</p> <hr/> <p style="text-align: center;">F</p> <p>F 23432:16,19 face 23409:22 facie 23387:11 23402:15 23468:20 facilities 23491:4,5 facing 23398:16 23455:14 fact 23343:3 23346:8 23355:1 23358:8 23359:14 23361:16 23361:22 23365:24 23366:4 23371:16 23386:10 23389:18 23390:5 23395:12,17 23395:25 23399:19 23403:19 23406:22 23414:19 23417:22 23422:14 23432:18 23436:3 23453:10 23457:7 23458:2,7,8 23461:4 23462:20 23467:23 23472:20 23472:22 23473:5 23478:12 23481:24 23482:12,22 23486:2 23488:6 23495:11 23499:19</p>	<p>factors 23356:14 23369:7 facts 23472:14 factual 23497:16 fail 23448:25 failed 23404:10 failure 23490:18 23494:23 fair 23353:12 23355:17 23357:1 23383:22 23387:2 23394:13 23468:17 fairish 23356:24 fairly 23428:8 23442:4 23493:2 fairness 23481:7 fall 23393:12 23450:15 fallible 23402:19 23403:6 23417:5 false 23488:6 familiar 23390:16 23396:1 23416:18 23497:12 family 23492:19,23 famous 23456:17 fanned 23453:5 far 23361:5 23386:4 23402:16,21 23405:17 23407:10 23442:8 23449:6 23450:12 23458:8 23461:15 23464:24 23465:24,24 23466:2 23473:7 23477:4 23479:5 23482:5,9 23487:8 23488:13 23492:6 fashion 23494:23 fast 23441:24 fatal 23473:19 favour 23401:18 feature 23480:21 FEBRUARY 23339:1 fed 23406:25 feed-through 23426:6 feet 23427:7,9,12 fence 23385:8 23435:12 ff 23433:7 FFF25 23380:5 field 23486:24 figures 23347:21,21,23 23347:23 23362:16 23362:17,20 23375:20 file 23340:4,5,18 23341:17 23343:4,10 23347:17 23376:1,8 23376:18 23470:6 filtering 23458:4 finally 23436:17 23450:16 23490:3 find 23358:10 23408:8 23408:15 23416:8,9 23420:25 23427:8,12 23432:13 23457:6 23476:16 23482:11</p>
---	---	--	--	--

<p>finding 23427:7,8 23428:6 finish 23461:12 finished 23480:8,8 23485:16 finishes 23433:6 23450:8 fire 23381:5,9 23437:21 23438:3,4 23466:9,15 23466:22 23485:14 23485:16,16,20 firearms 23461:5 23475:8 fired 23381:12 23452:7 23459:23,24 23460:15,25 23461:7 23472:6 23475:13,19 23475:20 firing 23380:23 23392:12 23439:1 23478:23 firings 23466:25 first 23342:8 23343:3 23344:5 23347:21 23351:20 23359:19 23362:2 23363:8 23373:12 23377:20 23382:20 23393:2 23396:11 23400:10 23401:20 23405:12 23408:18 23415:22 23420:6 23421:25 23427:25 23428:6 23430:11,16 23431:3 23431:7 23433:18,18 23433:19 23434:7 23436:25 23437:5 23438:1,10,25 23439:2,22,22 23440:7,22 23441:15 23443:12,13,25 23446:20,24 23449:22 23451:18 23456:16,18 23457:19 23465:5 23466:23 23467:2 23469:2,6 23474:13 23474:19,21 23475:13,20 23477:15 23479:18 23479:19 23483:4 23496:16 23497:21 firstly 23389:12 fitted 23369:7 23370:19 fitting 23370:11 five 23360:3 23375:4 23412:22 23436:16 23443:16 23445:25 23446:11 23464:12 23464:25 23496:17 23497:11,13 23498:8 23501:22,25 23502:1 fix 23477:16 fixed 23432:14,14 flaw 23358:11</p>	<p>flexible 23396:20 flicker 23387:22 23388:4 FLIR 23366:23 23367:4 23417:16 flow 23341:15 fluidly 23460:21 flying 23471:2 23475:15,16 focus 23492:16 focuses 23486:17 follow 23350:5 23360:9 23372:7 23391:6 23395:14 23404:20 23409:21 23418:19 23419:20 23459:10 23460:12 23461:2,7 23461:24 followed 23419:17 23426:2 23497:10 following 23381:3 23387:19 23441:25 23493:19 23494:2 follows 23378:2 23447:25 follow-up 23461:11 fond 23433:9 foot 23384:7 23385:5 23459:12 23462:3 23485:5 footage 23417:15,19 23418:1,1,9,13 23489:18 force 23456:8 23485:15 forces 23486:23 forget 23454:14 forgets 23499:21 Forgive 23358:22 form 23376:1,17 23418:14 formation 23444:1 23485:7 formed 23484:25 forth 23391:19 23395:18 forthcoming 23473:20 forward 23360:22,23 23361:3,4,13 23363:7 23379:6 23382:22 23384:21 23390:18 23390:20,20 23401:6 23406:18 23407:18 23408:19 23413:6,22 23414:1,11 23440:10 23441:25 23447:24 23447:25 23448:3,6 23452:23 23453:21 23457:7,8 23464:25 23465:1 23466:14 23472:19,22 23473:2 23477:4 23488:3 23497:21 23500:12 found 23339:19 23426:21,21 23454:12 23470:6 four 23348:10,11,14</p>	<p>23349:3,6 23350:16 23350:19 23351:7 23352:3 23353:18 23412:22 23416:12 23423:1 23431:3,7,7 23431:12 23433:15 23433:20,21 23434:15 23436:7,9 23437:5,8 23438:11 23438:25 23439:2,3 23439:13,15,23 23440:25 23445:13 23449:3,23,25 23451:14 23455:22 23472:19 fourth 23385:4 four-minute 23496:17 23496:18 fracture 23494:18 frame 23492:7 framework 23499:18 frankly 23397:12 fresh 23501:11 front 23340:15 23342:3 23360:21 23361:8,12 23361:24,25 23363:7 23405:2 23415:6 23422:11 23431:15 23432:10 23442:3 23453:11,13,19 23456:24 23457:1 23461:15,16 23465:7 fruitful 23429:6 fruitfully 23368:23 23448:10 fruitless 23370:13 frustrated 23421:2 full 23464:7 23488:10 23489:7 23491:9 fullest 23492:24 fully 23436:22 23493:4 function 23449:1 23480:25 functions 23407:2 funny 23366:2 further 23349:14 23361:18 23369:18 23372:7,25 23377:5 23388:7 23395:5 23449:20 23452:9 23470:5 23471:6 future 23350:12 23351:2 23370:12 23433:12 23470:3</p>	<p>generic 23483:19 generous 23401:18 GENRAL 23398:20 GENREAL 23399:1 genuinely 23481:6 geographer 23428:5 getting 23349:15 23360:7 23413:21 23433:16 23434:14 23448:21 23449:20 23450:6 give 23340:19 23352:6 23378:13 23387:4 23394:20 23410:6 23440:4 23456:25 23470:5 23476:6,11 23476:12 23482:25 23485:1 23486:8,23 23487:1 23489:21 23493:9,20 given 23375:25 23376:8 23393:8 23405:2 23418:19 23421:19 23426:18 23427:24 23458:24 23465:19 23473:17 23473:22 23474:14 23475:12 23481:12 23481:17 23482:8 23488:2 23498:3 gives 23396:22 23409:20 23431:12 glasses 23433:3 globularly 23460:13 goes 23389:11 23391:8 23410:19 23423:20 23445:10 23471:3,6 23475:20 23478:6 23493:7 good 23345:3 23349:25 23426:23 23449:20 23450:6 23492:4 Google 23339:17 23340:4,5,14,18 23341:17 23342:8 23351:24 23374:25 23375:2 23412:12,13 23423:20 23424:15 23424:20,23 23425:4 23425:8,11 23426:6 23426:12,13 23429:7 gotten 23420:11 GPS 23409:17 graphic 23340:11 23493:2,8,12 graphical 23340:9,17 23341:21 grass 23485:14 gravel 23496:21 great 23344:22 greater 23494:21 green 23361:24 23362:2,11,14,24 23363:8,8,9 23372:9 23417:18 23496:22 grenades 23392:5</p>	<p>greyish 23495:19 gridded 23409:20 ground 23409:10 23449:25 23450:8 23451:6 23455:12 23488:8 group 23380:8,14,19 23408:13 23443:24 23447:24 23451:11 23455:10 23457:17 23464:15 23465:12 23468:2 23470:24 23472:17,18 23477:25 23480:25 23484:23,24 23485:8 grouping 23444:19,20 23444:20,21 groups 23485:1 23486:9 GS 23484:10 guidance 23440:4 gunfire 23381:5 23441:21 23449:18 23450:18 23478:12 23479:20 gunned 23449:14 23452:6 gunshot 23385:23 23475:20 gunshots 23456:11,15 23475:19 23485:11 23485:17 G4SFLIR 23375:21 G7 23416:4,5 G8 23412:21,21 23416:3 23418:2</p>
H				
			<p>hadn't 23420:3 23432:5 23439:12 23442:12 23473:20 23473:21 23480:8 23486:19 23497:22 haemorrhage 23494:6 hail 23452:7 half 23368:20,20 23408:23 23452:6 23455:16 hand 23343:19 23346:1 23390:21,23 23391:3 23423:15,25 23432:10,11,12,13,14 23432:15,18 23453:18 23455:13 23455:15,19 23463:6 23475:25 handed 23342:1 23393:22 23424:9 handler 23471:17 hands 23435:2 23476:8 handwritten 23464:13 23484:9 happen 23380:1 23383:9 23389:10 23422:16 23467:9,10 happened 23359:12</p>	

23374:11 23378:3 23379:11 23395:18 23398:1,15 23401:23 23415:4 23419:14 23421:3 23442:12 23460:2 23471:12,25 23472:2,9 23486:5 23489:17 23490:1 23493:3 happening 23366:5 23380:19 23451:8 23456:15 23457:18 23457:23 23458:2,14 23474:2 23477:24 happens 23464:20 23466:24 23471:4,5 23479:23 happy 23343:13 23345:20 23356:3 23357:1,19 23426:19 23447:15 hard 23339:20 23417:3 23474:14 hasn't 23339:15 23347:22 23376:9,15 23451:10 haven't 23426:15 23438:22 23466:2 head 23351:19,23 23352:8,19 23377:18 23411:4 23494:4 headed 23346:8 23483:12 23496:20 heading 23418:2 23424:11 23483:20 23485:9 headphones 23493:20 heads 23375:7 23418:5 hear 23377:9 23379:20 23379:22 23395:4 23404:2 23440:13 23462:20 23466:9,16 hearing 23345:1 23378:1 23430:12 23478:23 heavily 23349:24 23499:25 heavy 23381:6,8 held 23342:6 23436:17 23464:25 23475:5 23489:5 helicopter 23352:16 23353:5,6 help 23368:10,13 23474:6 23476:17 23477:18 23500:16 Hemraj 23347:13 23371:10,19 23372:1 23372:4 23378:11 23394:22 23398:6 23420:2,6,10,22 23421:10 23425:10 23440:6,21 23447:16 23447:21 23448:2 23452:19 23453:8 23460:14 23466:7,12	23478:20 23479:3 23483:14 here's 23415:21 hesitate 23412:16 he'd 23383:22 23466:8 he's 23366:5 23383:21 23383:22 23417:4 23429:1 23462:17 23463:25 23468:23 23470:9 23473:14,17 23474:12,23 23475:1 23481:16 he'll 23397:9 hidden 23459:22 23475:19 hiding 23475:14 high 23350:15 23443:21 23494:3 highly 23403:9 hill 23464:15,21 23465:12,19 hint 23451:13 23452:22 23471:5 23478:9 hinted 23456:20 hip 23447:10,14 historians 23350:12 hit 23429:14 hold 23441:8 23450:19 23468:22 23472:18 holding 23360:22,24 23361:4,4,13 23363:7 23382:22 23389:22 23390:18,20,20 23401:6 23406:18 23407:18 23413:6,22 23414:1,11 23500:12 hope 23351:3 23377:5 23377:8 23393:17 23394:20 horseback 23485:6,21 hospital 23491:24,25 hospitals 23492:1,5,5 hostile 23461:4 hour 23352:6 23488:10 23489:7 23490:1,2 23491:9,12 hours 23407:1,1 housekeeping 23345:9 23345:25,25 human 23403:5 23417:5 23499:25 23500:23 hypothetical 23430:22 I idea 23458:6 ideal 23501:17 identified 23361:17 23366:21 23444:21 identifies 23492:5 identify 23359:19 23415:6 23449:12 23495:16 idle 23439:23 23441:20 23451:4 idled 23431:3,7	23440:12 idling 23348:3 23362:8 23362:11 23367:22 23431:8,12 23433:15 23433:18,20,21 23437:5,9,14 23438:11 23439:1,2,3 23439:4,13,15 23440:7,8,14,14,22 23440:23,24,25,25 23441:15,19 23442:2 23442:5,13 23443:23 23445:13 23446:20 23446:21 23447:5 23449:2,3,22,22 23450:3,5,7,22 23451:3,15,17,20 23452:1,8 23480:2,3 23480:5,8,12,18 23496:17,18 23497:21,23 23498:6 23498:7 ignition 23341:2 23348:2 23359:20,22 23359:22 23360:1,4 23360:13,14,21 23361:12 23362:25 23363:1,12 23365:21 23365:22 23367:12 23367:13 23372:8,13 23373:4 23374:14,23 23375:17 23376:6,10 23376:13,24 23377:14 23381:16 23382:18,19 23384:8 23384:10,16 23385:1 23386:11,12 23388:17,18,23 23389:9,11 23392:17 23396:10 23401:4,8 23401:22 23403:15 23404:21 23410:19 23432:16 ignorance 23358:22 illustrate 23453:18 23454:5 23492:17 illustrated 23488:19 image 23353:17 23423:4 23426:10,10 23426:11 23427:16 23428:4 imagine 23395:14 23461:5 immediate 23360:25 23361:2,17,23 23398:24 23399:2 23406:21 23407:13 23407:22 23408:9,15 23408:24 23409:2 23413:14,15,16 23414:10 23415:14 23494:15 23500:11 immediately 23357:5 23365:24,25 23471:1 impeach 23467:3 implementation	23370:9 import 23371:11 important 23347:9 23364:1,12 23393:8 23454:14 23467:24 23482:21 23484:2 23487:15 imprecise 23378:7 impression 23373:19 23405:22,23 inaccuracy 23393:13 inaccurate 23393:8,9 23393:11,12,12 23402:7 inaudible 23393:21 23463:18 incident 23366:5,5,9 23367:19 23373:20 23378:1,3,6 23385:15 23392:13,14 23486:6 23488:22 23500:7,8,9 incidents 23488:14 include 23376:23 inconsistency 23339:22 23468:5 incorrect 23389:25 23394:7 index 23470:4,7 indicate 23386:12,13 23387:18 23388:5 23391:14 23393:21 23394:7,12 23402:6 23404:18 23406:11 23411:5 23424:5 23433:13 23434:1,18 23436:12 23437:17 23451:19,22,22 23456:25 23458:20 23495:21 23500:17 indicates 23352:24 23402:19 23403:5 23456:23 indicating 23362:19,24 23370:17,18 23415:9 23463:4,4 indication 23354:8 23380:1 23383:3 23428:12 23430:9 23489:20 indirect 23437:24 indirectly 23499:19 individual 23370:7 23492:6,15,16 individuals 23368:4 inference 23371:16,21 23372:3 23403:4 23461:1 23462:17 23463:9 23467:10 inferring 23368:14 information 23352:24 23365:14 23371:7 23393:8 23402:4 23418:18 23435:4 23479:6 23497:17 23499:5 23501:10 informed 23493:11	infrastructure 23409:11,12 initial 23439:23 initially 23383:2 23389:6 23400:15 23414:25 23434:3 23462:12 injured 23485:18 23488:18 23499:17 23499:22,24 injuries 23449:25 23491:4,6,19,23 23492:3 23494:1,3 injury 23492:8 23495:6 23495:7 23499:14 insertion 23413:17 23428:2 inside 23400:16 23451:12 insignificant 23409:9 insinuation 23488:25 insisted 23395:22 inspection 23399:23 23424:14 23429:7 23500:10 instances 23493:1 instruct 23377:14,23 23378:13 23381:24 instructed 23378:23 23381:15 23394:24 23421:13,23 23470:16,19 23471:11,13,25 23472:10 23473:5 instruction 23378:14 23459:9 23461:24 23475:10 23482:8 instructions 23395:6 23419:20 23421:18 23471:8 23472:2 intend 23429:10 intended 23430:10 intending 23382:2 23416:8 intention 23377:25 23378:21 23413:11 23424:6 23435:14 23436:4 23483:2 23485:23,24 23486:23 23487:16 23496:13 intentions 23484:16 intents 23438:20 interested 23393:13 intermediate 23491:22 internal 23494:14 interpreted 23493:19 interrupt 23350:2 23371:20 23430:20 intersection 23351:14 23352:9 23361:3,4,9 23361:13 23382:23 23410:16,19,20 23411:13 23412:21 23415:23 23418:2 23422:12 23424:16
--	---	--	---	--

<p>23424:23,23 23425:5 23425:8,12 23426:6 23426:14 23496:11 intersections 23425:7 intervention 23491:19 intra-peritoneal 23494:11 introducing 23395:22 introspection 23500:14 23500:16 invest 23369:11 investigations 23369:18 invite 23457:5 involve 23364:24 involved 23368:19 involvement 23482:18 IPID 23482:17 isn't 23370:16 23375:19 23387:6 isolation 23403:23 issue 23364:2 23368:16 23368:23 23369:5,14 23396:7 23399:24 23400:6 23404:1 23406:3 23429:23,24 23436:14 23448:23 23448:24,25 23449:11 23478:23 23478:24 23479:1 23482:2 23486:6,16 23486:17 23490:6 issues 23345:9 23394:17 23399:13 23487:9 I'd 23449:11 23452:5 23457:5 I'll 23366:1 23418:7 23426:24 23427:2,9 23459:1 23463:19 I'm 23377:9 23379:21 23386:11,15 23427:7 23427:8 23430:18,20 23448:21 23451:21 23452:1 23460:25 23461:7 23462:11,17 23462:22 23463:7,9 23465:3 23467:25 23468:17 23470:4 23472:8,25 23485:19 23487:23 23490:1 23493:11,16,18 23497:12,15,25 23498:1,10,12,13,24 23499:4,6,23 I've 23376:9 23426:18 23455:5 23457:19 23458:6,8 23492:11 I-N-T-W-E 23474:11</p>	<p>23466:4 Jerry 23474:18,20 23475:3 JJJ 23343:12 23479:10 JJJ11 23366:7,8 JJJ178.2 23366:17 JJJ194.32 23495:16 23496:4 JJJ194.36 23501:20 JOC 23488:20 joined 23447:10,13 JT 23475:2 Judging 23428:3 juice 23405:24 July 23393:23,23</p> <hr/> <p style="text-align: center;">K</p> <p>K 23469:16 KD 23346:9 keep 23360:7 23396:19 23399:2 23449:11 23486:20 23501:10 23501:11 kept 23370:16 key 23477:4,11 kidney 23494:9 killed 23499:17,22,25 kilometre 23415:25 kilometres 23352:6 23492:1,2 kind 23385:8 23394:6 23395:17 23493:17 kitted 23368:22 knew 23421:22 23422:16,17,18 23423:9 23434:22 23435:3,4,7,9 23467:18 23483:2 knobkerries 23465:13 23465:21 knobkieries 23464:16 know 23343:14,15,15 23347:11 23350:3 23354:16 23356:10 23361:22 23365:3,5 23366:16 23368:1,7 23375:25 23376:10 23380:22 23382:3 23385:7 23387:8,13 23387:25 23388:6 23389:8 23393:6,11 23393:13 23394:1,8 23394:14 23405:17 23414:10,19 23418:23 23420:7 23421:2 23427:11,13 23428:17 23429:21 23430:21,23 23433:12 23434:2,25 23440:2 23441:8,24 23456:9 23460:11 23462:21 23476:5 23477:14,19 23480:3 23481:25 23487:19 23500:3,5,20 knowledge 23369:22</p>	<p>23386:5 23409:18 23498:20 known 23421:21 23429:24 23483:1 23484:16 knows 23343:8 koppies 23363:3 23413:22 23414:4,7 kraal 23363:3,5 23366:25 23367:5 23373:24 kraals 23363:4 23403:12 Kwela 23469:16 Kwele 23469:12,25,25 23470:8 23475:1 K-W-E-L-E 23469:19 k9 23434:10 23443:24 23447:24 23465:7 23471:18 23472:17 23472:17,19 23475:6 23475:17 23481:8 23484:24 23487:5</p> <hr/> <p style="text-align: center;">L</p> <p>L 23366:9 23478:11,16 labour 23397:5 laceration 23494:8 23495:7 laid 23396:14 landmark 23420:18 23436:5 language 23356:25 large 23362:4,12 23423:24 23425:9,12 23426:7,14 larger 23452:21 23472:17 lasted 23355:22 23364:22 late 23339:3 lead 23368:10 23371:4 23403:4 23459:10 leader 23484:23 leaders 23339:13,19,24 23341:19 23369:19 23371:8 23426:25 23467:5 23468:9 leading 23352:19 leads 23461:24 leave 23369:21,24 23420:13 23429:7 23436:13 23489:3 23493:10,10,21 leaving 23448:3 23452:24 23488:8 led 23390:18 23393:20 23493:5 left 23361:24 23383:13 23396:23 23398:13 23409:11,13 23412:1 23420:1,16 23429:14 23429:15 23432:22 23433:6 23436:19 23438:19 23445:10</p>	<p>23448:7 23455:14 23458:4 23459:13 23461:16 23462:3 23475:6 23485:3,6,12 23486:25 23495:5,7 23495:11,11 23501:22,25 left-hand 23362:12 23436:8 23444:3 leg 23494:4 legal 23457:5 legend 23376:10 legends 23376:22 lemon 23405:24 23406:2 lesser 23494:4 lettering 23433:4,5 letting 23433:11 let's 23341:14 23348:7 23354:1 23356:21 23357:19 23358:2 23366:25 23377:10 23384:12 23404:20 23410:14 23419:20 23423:16 23428:9 23429:5,8 23436:6 23442:24 23445:3 23449:15,22 23450:3 23458:11,21 23460:4 23461:18 23463:14 23482:20 23483:18 23484:21 23490:8,9 23501:19 let's 23398:23 23400:8 23445:20 23448:11 level 23492:3,4,4 levelled 23424:4 Lieutenant-Colonel 23406:5,14 23410:1 23420:23 23482:24 23484:10,17 life 23448:25 23491:22 23494:15 23499:14 light 23345:23 23357:7 23388:4 23427:6 23442:6 lights 23387:22 limb 23494:18,25 23495:4,6 line 23348:2 23364:1 23399:21 23403:12 23404:9,15 23423:22 23431:4,14 23432:8 23432:19 23434:8 23437:20,21 23438:3 23438:4 23444:2,4,4 23444:5,11,24 23445:10,18 23451:9 23452:5 23458:4 23464:11 23465:7,23 23466:20 23477:22 23478:3 23485:7 lined 23363:6 23367:16 23398:9 23431:15 23432:10 23443:25 23444:11 23451:11</p>	<p>lines 23410:11 23476:14,25 link 23347:10 23451:17 linking 23451:25 list 23356:16 23470:10 23476:5,11 23478:22 23482:7 lists 23494:1 literally 23448:24 23449:4 23480:17 litigation 23468:8 little 23356:15 23359:18 23362:3,4 23363:2 23372:7 23389:1 23411:25 23422:5 23424:22 23432:15 23487:13 lives 23491:11 locate 23415:4 location 23344:19 23385:15 23386:3 23389:14 23402:1 23409:7 loco 23399:23 23424:15 23429:7 23500:10 lodged 23494:7 log 23351:17 logical 23411:17,19 23435:24 logically 23436:3 logistics 23492:11 lone 23366:10,12 long 23343:6 23345:14 23351:17,23,25 23356:8,9,11 23392:19 23398:3 23407:1 23444:5 23452:4 23454:24 23476:5 23478:22 23496:24 23501:5,16 longer 23395:9 23413:19 23444:20 23450:6 Lonmin 23409:1,11 23440:12 look 23362:6 23365:7 23366:3 23404:14 23409:8 23415:16 23417:7 23418:7 23419:9 23422:4 23430:9 23434:25 23443:20 23448:11 23448:14 23449:22 23450:3 23453:22,23 23458:11 23460:4 23461:19 23468:12 23483:18 23487:25 23488:1 23491:1 23498:6 looked 23404:10 23482:5 looking 23348:8,13 23351:7 23356:16 23359:11 23377:4 23384:6 23385:15 23386:3 23402:23</p>
---	---	--	---	--

23415:2 23433:1 23435:19 23445:6 23454:12 23470:4 looks 23376:5 23388:20 23408:21 23409:23 23445:8,11 23453:24 23455:23 23456:2 23457:17 23474:15 23474:18 23475:1 looming 23423:24 loose 23475:17 loosely 23368:11 loss 23494:13 23499:14 lost 23341:11 23417:5 23448:22 23458:10 23459:4 lot 23371:6 23468:3 23474:2 lots 23458:22 23470:24 loved 23493:15 low 23494:9 lower 23362:17 23494:6,25 lunch 23407:6 23448:10,11,14 lying 23449:24 23450:8 23451:6 23485:25 23495:17,17	23373:21 23377:11 23382:15 23383:23 23385:20 23386:16 23388:8 23389:4 23391:10 23406:4 23411:10 23412:19 23413:21 23415:12 23416:11 23417:13 23418:1 23421:12 23422:23 23424:13 23425:5 23427:22 23428:11 23430:13 23430:17 23434:21 23438:21 23439:20 23440:11 23445:1 23447:23 23448:17 23448:21 23452:3 23453:20 23456:13 23461:18 23468:1 23471:15 23472:11 23478:10 23484:18 23484:23 23486:18 23487:24 23489:6,24 23490:12,17 23498:24 23499:7 Major-General's 23444:19 making 23386:5,7 23402:17 23407:3 23412:13 23473:15 man 23483:2,3,4 23484:18 23495:17 management 23464:8 manner 23499:16 manoeuvre 23387:24 manuscript 23483:16 map 23339:18 23344:3 23344:19 23347:6 23354:8,9,10 23362:23 23374:24 23389:16 23390:1,5,9 23390:10,12,15,16,19 23390:19,21 23391:11 23406:11 23406:15 23407:25 23408:19,22 23409:6 23409:8,12,17,18,20 23410:2 23413:12 23415:16 23419:9 23422:5 23424:8 23427:24 23433:13 mapped 23340:14 maps 23344:17 23409:15 margin 23357:13 Marikana 23464:8 23493:16 23500:13 23501:3 mark 23345:16,20 23346:3 23405:8,9 23424:24 23483:7 23484:14 marked 23342:10 23345:18 marker 23359:19,20 23361:24 23362:2,12	23362:15,24 23363:8 23363:8,9 23372:9 23374:25 23375:17 23401:5,5 23436:9 marking 23349:9,10 23361:23 23444:5 marks 23341:1 massive 23494:17,18 material 23339:6 23376:1,17 23493:17 materials 23477:9 matter 23356:14,16,17 23386:2 23399:19 23448:10 23469:9 23482:10,13 matters 23394:16 23474:6 Mdze 23492:20,23 23493:24 23494:2 23495:3,13,17,23 23496:23 23497:10 23497:23 meals 23407:17 23408:1,3,5,6 mean 23354:15 23355:16 23372:15 23393:22 23417:4 23425:21 23427:13 23435:17 23476:12 23477:11 23487:5 23495:7 means 23349:22 23391:9 23430:23 23480:1,1 measures 23423:20 medic 23489:7 medical 23385:23 23386:18 23449:1 23490:18 23491:4,5,7 23492:18 23494:24 23495:2 23496:13 medico-legal 23345:10 23346:8 medics 23434:11 23449:19 23450:5,9 23451:7 23452:8,21 23467:19 23480:23 23480:25 23481:10 23481:14,21,24 23482:1,2,10 23484:19 23485:20 23485:24 23486:11 23487:9 23488:6,20 23489:5,8,9,11,16,20 23490:2 23499:11 meeting 23492:23 member 23458:13 23460:5 23466:8 23471:14 23475:15 members 23380:9,20 23380:21 23383:4 23406:20,23,25 23407:20 23408:6,13 23443:25 23457:1 23460:23,24 23462:16 23464:24	23467:15,16,21,22 23468:1 23470:10 23471:18 23475:6,6 23478:13 23479:21 23480:22 23484:24 23485:5,5,15,20 23488:1 memory 23389:5 23394:8,13 23402:7 23402:19 23403:2,3,6 23442:9 memory's 23394:15 men 23464:16 23465:12 Mentesh 23475:16,17 mention 23345:18 23459:14 23460:18 23472:21 23473:13 23474:1 23478:11 23479:2 23480:23 23481:17,21,24 23482:1,5,12,14 23485:23 23486:2,7 23486:21 mentioned 23350:4 23405:1 23456:8 23463:5 23467:22 23468:25 23473:1,12 23479:20 mentioning 23460:22 23460:24 23472:7 23486:11 mentions 23469:5 metres 23352:5 23353:11 23389:7 23423:1,8,14,23,24 23475:12,21 microphone 23463:18 23463:22 middle 23355:24 23444:23,24 mind 23341:20 23457:10 23473:15 23491:18 23497:5 23500:25 miners 23399:3 23444:4,11 23459:16 23459:20 23462:5,12 23462:13 23475:14 23475:19 mineworkers 23396:17 23399:19 minor 23494:5 minus 23358:18,18,20 minute 23354:1 23367:7 23401:22 23412:19,19 23431:8 23436:7,9 23437:5,9 23438:11 23439:1,2,3 23439:13,15,23 23440:6,21,25 23441:14 23445:13 23454:8 23457:12 23463:20 23477:21 23477:21 23478:2,2 23479:9,10,11,14	23480:11 23493:18 23493:21 minutes 23346:18 23363:21 23364:3,23 23365:6,6 23410:25 23411:8 23431:3,7,12 23433:15,20,21 23434:15 23443:16 23446:1,1,5,6,11 23449:3,17,23,25 23450:2,4,9,14,17,23 23450:23 23451:5,7 23451:14 23452:6,16 23454:18,19 23455:4 23455:7,8 23489:8 23491:8,13 23492:1,2 23495:22 23496:8,9 23496:10,14,16,18 23497:24 23498:8 23501:22,25 23502:1 miscalculation 23421:4 missed 23352:11 23424:5 23425:5,6 23427:25 23429:9 missing 23484:2 mistake 23380:7 23402:17,18 23409:4 23427:6 23501:23 mistaken 23416:25 misunderstand 23371:11 misunderstood 23392:14 23441:2 Mm 23384:14 MMM 23364:18 23480:13 MMMA 23341:9 MMMB 23341:8 MMM1 23344:3,12 23347:3 23390:13 MMM10 23340:7,22 23341:12,13 23346:3 23346:5,7,10,19 23490:21 MMM11 23346:6 23390:25 23391:18 23405:2,7,15 23406:3 MMM11.1 23405:8 MMM11.2 23405:9,18 MMM12 23425:3 MMM13.1 23442:22 23446:6,16 23447:6 MMM13.2 23445:21 23447:9 MMM13.3 23446:8,23 MMM14 23454:16 MMM15 23463:22 23464:5 MMM16 23469:15,19 23470:8 23474:23 MMM17 23475:1 MMM18 23483:10,11 23484:14 MMM4 23364:18,19 MMM5 23355:16 23364:10 23412:4,4
---	---	--	---	--

<p>23412:13,14,23 23433:10 23496:23 23498:17 MMM7 23459:6,8 MMM9 23340:2,3,12 23340:14,17,17 23341:12,16,21 23342:9 23375:17,19 23375:25,25 23376:2 23376:2,8,14,16,17 23376:21 23445:6 MMM9A 23340:9,16 23341:10,12,21 23342:5,11,25 23343:3,5,10 23348:1 23351:12,13 23359:10,14 23365:15 23372:7 23375:23 23376:1,5,7 23376:20,22 23377:4 23429:8 23433:1,5,7 23449:12 23480:5 MMM9B 23341:9,13 23341:14,22 23342:11 23360:1,3 23360:17 23384:6 mob 23488:23 modern 23356:11 Modiba 23406:18 moment 23349:21 23352:15 23353:4,7 23369:22 23376:25 23379:21 23393:16 23395:19 23412:8 23417:3 23418:13 23442:25 23443:23 23446:20 23448:12 23453:9 23455:2 23469:5 23478:6 moments 23449:2,2 Monday 23343:25 23344:8,17,20 23347:1,7 23416:18 23417:24 23435:23 23437:1 23489:15 months 23499:8,8,9 morning 23339:3 23342:7 23502:2,4,6 mortem 23491:2 mountain 23459:12,16 23459:17,21 23462:1 23462:2,5 23485:1,2 23485:8,9,10 23486:10 mounted 23484:24 23485:5 move 23366:6 23377:17,23 23411:13 23429:4,5 23436:6 23448:3,6 23458:16 23469:11 23470:16 23472:10 23475:11,22 23482:9 23487:23 23489:4 23490:17 23501:19 moved 23379:6</p>	<p>23395:7 23408:19 23411:22 23440:10 23451:10 23453:6,21 23455:11 23457:7,8 23458:12,14,16 23459:11 23461:25 23464:25 23465:1 23466:14 23471:3 movement 23340:24 23341:4,22 23344:18 23368:10 23374:21 23381:25 23404:20 23454:2,3 23457:24 23458:16,18,19 movements 23344:2,22 23345:23 23346:24 23372:7,20 23384:5 23389:5 23393:21 23410:15 23456:3 23457:11,11,15,16 23458:20 23496:8 moves 23455:22 moving 23365:15,24,25 23366:16,20,24 23367:5 23371:24 23380:8,12,15 23396:11 23405:23 23418:8 23439:18 23441:9,24,24 23453:24 23455:20 23455:21,23 Mpofu 23433:8 23447:10,14,15 muscle 23494:8 Musi 23464:5 muted 23426:20,21 Mutsi 23459:1,5,8 23460:1,6,20 23463:1 mysteries 23395:19 mystery 23393:16,17</p> <hr/> <p style="text-align: center;">N</p> <p>N 23477:16 23479:18 Naidoo's 23340:4,18,20 23341:5 23368:2 23468:2 Naidoo's 23391:10 23447:24 name 23474:13,19 names 23474:21 narrative 23451:23 narrow 23411:9 nature 23375:18 23393:8 23490:22 23491:3 23493:2,8,13 near 23362:11 23370:12 23431:18 23431:21 23432:4 23433:7 23445:7 23451:7,10 23459:13 23462:4 23489:19 nearly 23475:9 23492:1 nearest 23388:1 23491:24 nearing 23369:9</p>	<p>nearly 23364:23 necessarily 23394:5 23402:6 23403:4 23429:23 23437:23 23461:2 23469:4 23473:19 23487:5 necessary 23376:2 23382:8 23395:2 23407:10 23418:10 need 23349:14 23354:15 23364:17 23375:1 23398:16 23421:4 23424:21 23445:16 23455:3 23458:18 23477:17 23486:16,21 23495:13 needed 23383:16 23397:19 23410:5 needn't 23369:17 needs 23463:15 23474:11 negotiation 23366:11 23378:19 23407:17 23408:13 neither 23466:4 neutral 23397:12 never 23341:20 23356:9 23371:15 23397:4 23420:5 23500:11 new 23339:10 23412:13 23423:7 23452:8 23463:15 23469:13 nice 23358:2 night 23344:8 nine 23450:4,22,23 23451:4,6 23452:6 23454:18,19 23455:4 NIU 23408:1 23410:12 Nkaneng 23413:7,7 23414:13 23435:7 nodded 23375:7 non 23492:13 non-availability 23494:24 normal 23409:17 23414:13,15 normally 23409:19 23414:9,12 23427:12 north 23368:25 23370:18,22,24 23371:3 23425:20 23432:20 23435:19 23455:14 northern 23455:17 note 23418:7 23459:5 notebook 23455:5 noted 23494:13 notes 23352:12 23391:15 23446:17 notice 23460:22 23485:18 noticeable 23424:4 noticed 23404:23 notified 23492:20</p>	<p>November 23394:10 no-one 23434:22 NTSEBENZA 23492:22 Ntsebeza 23427:4,7 number 23353:16 23356:12,15,16,25 23358:2 23406:5,14 23407:9 23410:1 23425:6 23426:18 23454:15 23459:5 23463:16 23468:23 23474:7 23482:25 23496:2 23499:15 numbers 23360:8 23458:24 23476:6 Nyala 23366:3,6,10,12 23366:24 23455:18 23456:7 Nyalas 23455:10,14,15 23455:17</p> <hr/> <p style="text-align: center;">O</p> <p>O 23432:19,19 oath 23342:12,14 23375:14,15 23405:11,12,19 23448:17 23490:13 OB 23380:5 object 23468:5 23489:18 objection 23466:20 23473:22 23481:3 objective 23477:5 23487:25 objectively 23477:9 obscured 23389:19 23399:18 obscuring 23404:7 observation 23452:14 obtain 23468:16 obtained 23426:17 23489:21 obvious 23419:14 23427:24 23487:1 obviously 23369:10,15 23370:12 23381:11 23381:24 23388:6 23393:11 23415:2 23416:7,20 23419:3,9 23419:25 23420:17 23420:19 23429:20 23434:20 23435:1 23440:16 23441:4,25 23453:6 23456:10 23469:8 23473:3,18 23476:12 23477:13 23490:24 23499:18 occasion 23382:20 23396:23 23398:14 occasions 23382:20 23474:7 23501:3 occurred 23373:20 23383:9 23385:16 23407:19 23442:3 23488:15</p>	<p>occurrence 23380:5 23392:7,13 occurs 23368:7 23402:3 offer 23388:9 23478:17 23497:8 offering 23386:11 Officer 23464:1,4,19 23475:16,17 officially 23484:22 officials 23459:19 23462:7 off/on 23376:6,10,13 oh 23356:19 23359:1 23401:21 23424:18 23425:21 23437:4 23443:12 23447:2 23454:25 23474:22 okay 23341:20 23343:21 23356:23 23364:5 23369:23 23376:4,19 23377:3 23421:6 23426:20 23433:25 23454:6 old 23356:10,11,25 23451:4 omission 23467:10 23469:6 23470:7 23472:7 23499:20 omissions 23468:19 once 23379:1,1 23383:16 23393:9 23399:15 23411:21 23419:25 23422:22 23448:10 23491:23 23500:8,9,9 ones 23368:22 23476:15 23493:15 OOO 23474:14 open 23409:3 opened 23488:10 opening 23488:5 operation 23354:17 23368:19 23369:2,2 23370:4 23406:20 23454:1,3 23455:20 23455:21,22 23456:3 23456:15 23470:14 23486:8 23487:2 operational 23370:2,3 23370:14 opinion 23386:2,22 23418:14 opportunity 23339:15 23339:21 23346:25 23379:5 23457:25 23467:6 23468:11 23493:20 opposed 23457:7 opposite 23362:4 23409:1 23454:4 order 23377:12 23378:12 23440:3 23464:24 23465:19 ordered 23459:18 23462:6 23464:14,20</p>
--	---	--	--	--

<p>23465:10 ordinary 23384:22 23413:5,8 organised 23451:23 orient 23362:2 orientate 23420:18 23434:19 23439:7 23440:1 orientated 23441:4 23451:19 23457:23 orientating 23438:15 orientation 23362:23 23420:20 original 23362:1 23366:11 23391:14 originally 23413:2 23488:16 ostensibly 23496:12 outline 23491:17 outright 23461:8 outside 23369:18,21,22 23379:10,14,22,25 23382:17 23383:4 23400:16 23416:14 overview 23478:16 owe 23373:16 o'clock 23487:20 23502:6</p> <hr/> <p style="text-align: center;">P</p> <p>page 23346:8,13 23366:17 23384:7,13 23385:2,5 23389:21 23491:15,17 23493:24,25 paid 23428:19 pangas 23471:1 Papa1 23366:22 23380:7 paragraph 23346:13 23459:9 23460:15,16 23461:19,22,23,23 23464:7 23465:10 23471:8 23475:5 23484:2 23494:1 paragraphs 23470:13 paramedics 23436:19 23491:9,12,22 23496:23 23497:23 pardon 23447:22 23466:10 23474:25 park 23396:13,20 23397:19 parked 23361:17 23396:15,21 23397:3 23397:4,10,13,20 23414:9 23470:21 23475:9 23486:20 part 23376:5,5,7 23406:18 23422:24 23431:14 23452:21 23456:3 23460:20 23464:25 23466:14 23466:23 23467:24 23468:1 23470:8 23472:4 23481:21</p>	<p>23499:20 particular 23373:4 23382:13 23385:15 23386:4 23389:17 23390:19 23397:1 23399:10 23402:24 23405:24 23408:2 23436:16 23463:8 23481:12 23489:18 23492:20 particularly 23493:8 23497:5 particulars 23369:4 parties 23468:8 party 23434:22 23435:18 23453:19 pass 23414:7 23417:15 passage 23394:8,15 23491:14 passed 23414:4 23424:1 23429:21,23 passing 23402:10 23417:16 23501:17 patch 23444:24 patches 23409:3 path 23418:19,25 23432:21 paths 23417:8 patient 23492:20 23494:3 patients 23491:23 23492:2,7,12,16 patrol 23473:2 pellet 23494:5 pellets 23494:6 pelvis 23494:12 people 23351:1 23358:10 23379:2 23380:12,15,15,16,17 23380:22 23382:5,10 23383:5 23387:4,8 23395:5 23407:15,16 23407:22 23411:16 23414:3,7 23417:8 23427:11 23435:5 23449:3,14,18,24 23450:8,17 23451:6 23452:6 23454:12 23465:7,18,20 23466:18 23468:24 23470:17,24 23471:9 23481:8,8 23485:18 23485:25 23488:8 23493:9 23499:19,21 23499:22,23,23,24 perceived 23413:19 23453:2 23460:25 23501:14 perfect 23396:20 perform 23398:17 performed 23354:13 23477:10 performing 23464:8 period 23382:13 23400:23 23431:8 23432:3 23433:19,22</p>	<p>23440:8,14,14,22,23 23441:1 23442:5,13 23443:23 23447:5 23449:22,22 23450:1 23450:3,7 23451:4,15 23451:17 23452:8 23456:19 23478:8 23480:2,3,5,8,12,18 23489:12 23490:1 23496:17,19 23497:21,23 23498:6 periods 23449:3 23451:21 peritoneal 23494:12 permanent 23399:25 23400:2 23432:13,13 person 23406:9 23408:12 23456:16 23456:18 23469:2 23479:19 23484:16 23499:16,17 personally 23404:16 personnel 23434:14 23457:16 23494:24 23496:13 persons 23466:13 23478:22 23488:18 23493:15 perspective 23449:10 23489:22 pertinently 23478:23 phase 23370:9 Phokeng 23475:17 phone 23355:10 23356:12 23364:18 23365:4,8,21 23371:17,18,18,19,20 23388:21 23389:10 23406:5,14 23410:1 photograph 23340:14 23353:5 23361:5 23362:13 23366:8,13 23417:14 23419:16 23431:24 23479:10 photographs 23354:14 23400:1 23462:11 pick 23418:4,4 23431:24 23475:4 picked 23355:25 23366:24 23408:4 picture 23342:8 23349:12,25 23359:17 23362:7,9 23362:11,18 23363:4 23366:4 23426:16,17 23451:9,21 23456:10 23456:12,17 23457:10 23468:18 pieces 23435:4 pin 23355:12 23389:22 23400:8 pistols 23471:2 pixellated 23349:23 pixellation 23349:22 23350:7,14,25 23442:14</p>	<p>place 23363:5 23367:19 23371:13 23373:13 23374:10 23379:2,7 23381:19 23382:5 23388:13 23389:20 23392:12,13,15 23396:20,21 23401:19,20 23409:1 23411:9 23420:16 23421:17 23429:6,7 23430:12 23449:21 23457:8,13,20,22 23458:5 23471:13 23475:7 23477:20 23483:3 23499:9 plainly 23462:8 plan 23387:8 platform 23500:19 plausible 23386:16 23388:9,11 23450:21 play 23495:20,20 please 23352:13 23415:21 23465:4 pleased 23377:9 plots 23339:18 plotted 23340:25 plus 23354:5 23431:15 plus-minus 23475:12 23475:21 23485:4 point 23345:3,16 23352:2,12 23353:8 23359:10 23362:1 23367:3 23369:17,25 23372:8,25 23377:13 23378:16,16 23379:9 23383:13 23385:6 23388:10,22,24 23389:18,22 23392:21 23397:5,8 23397:16,24 23405:23 23406:2 23409:25 23410:10 23411:4,24 23412:20 23413:4,18 23423:4,5 23423:17 23428:2,11 23429:8,15,18 23430:14,18,21,23 23431:1,11 23432:5 23432:14,14 23434:7 23434:7,8 23436:17 23438:8,9 23442:12 23445:9 23450:16 23469:4 23477:4,22 23477:24 23482:5 23487:21,23,24 23499:4,6 pointed 23390:1,5 pointing 23349:7 23390:6,9 points 23371:4 23393:10,14 23437:15 23449:13 pole 23494:8 police 23369:6 23380:18,18 23400:1 23414:8,16 23438:1,2</p>	<p>23459:19 23461:4 23462:7 23464:24 23468:24 23469:8 23474:14 23475:9 23476:14,16 23477:2 23477:7 23485:8,13 23499:15 23500:13 policing 23487:5 policy 23370:1 POP 23380:15,17 POPs 23455:10 23458:7 23466:7,13 23484:24 position 23363:12 23366:7,10 23367:3 23382:21 23396:15 23398:12 23400:24 23400:24 23401:6,7 23402:10 23403:10 23403:11,13,14,14,15 23403:16 23404:5,8,8 23404:22 23406:21 23408:22 23410:25 23437:20 23438:13 23442:6 23444:21 23452:1 23463:12 23473:2 23487:1 23496:21 23499:4 23501:12 positions 23400:23,25 23401:9 23406:19 23445:13 possession 23345:5 23407:25 possibilities 23441:1 23476:1 possibility 23394:14 23396:9 23402:2 23461:9 23497:3 possible 23369:6 23370:11 23373:5,20 23385:24 23387:2 23395:25 23413:12 23440:9 23477:5,8 23478:12 23484:19 23487:7 23491:19 23498:11,21 23501:11 possibly 23340:9 23353:14 23373:2 23385:17 23399:22 23401:12 23418:4 23426:3 23437:24 23439:9 23442:9 23457:14 23460:3 23496:25 23497:7,16 post 23491:1 posted 23484:22 posterity 23432:11 posture 23461:4 23473:6 post-mortem 23346:14 Potchefstroom 23475:15 potential 23482:15 23492:12</p>
---	--	--	---	--

<p>potentially 23437:20 23437:24 23438:3,6 23492:13 23495:2</p> <p>power 23349:8,11 23352:21 23362:18 23362:20 23372:22 23372:23 23385:10 23389:1,23 23392:23 23402:11 23409:7 23411:25 23414:20 23416:14,14 23418:21,25 23419:10,12,13,15,15 23419:18,19,22 23421:19 23422:2 23423:11,24 23424:7 23424:7 23425:9,12 23426:4,7,14 23429:14,14,15,25 23430:1,2 23431:5 23434:6 23436:8,22 23436:23 23437:14 23437:17 23445:7,12 23449:16 23453:5 23458:17 23459:10 23459:13 23461:25 23462:14 23463:10 23464:10 23465:1 23475:9 23485:3 23496:17,19 23497:20</p> <p>practical 23427:4 23476:22</p> <p>practically 23365:25 23386:24 23420:8</p> <p>practise 23399:2</p> <p>precincts 23436:22,23</p> <p>precipitated 23460:4</p> <p>precise 23353:10 23354:13,18 23356:1 23357:21</p> <p>precisely 23440:19</p> <p>precision 23357:12</p> <p>predicted 23494:21</p> <p>prefer 23345:17</p> <p>prejudice 23501:13</p> <p>preparation 23381:25 23383:8,16</p> <p>preparatory 23384:9</p> <p>prepare 23346:15</p> <p>prepared 23339:13,14 23339:19 23354:25 23390:21</p> <p>preparing 23379:2 23380:2 23382:7 23402:1</p> <p>presence 23399:25 23493:5</p> <p>present 23347:2,7 23445:18 23501:12 23501:13</p> <p>presentation 23478:7,9</p> <p>presented 23352:13 23393:25 23408:20</p> <p>press 23356:19 23357:3</p> <p>pressed 23357:4</p>	<p>pressing 23356:17</p> <p>pressure 23495:1</p> <p>presumably 23355:2 23379:15 23381:18 23387:21 23390:25 23426:17 23428:7 23435:18 23471:14</p> <p>presume 23376:7 23392:25 23415:2 23419:25 23461:19</p> <p>presumed 23407:18 23410:10</p> <p>presumes 23351:1</p> <p>presumption 23389:3 23389:24 23408:11 23411:19 23462:19 23473:9 23497:6,14 23497:15</p> <p>Pretorius 23433:11 23483:21</p> <p>prevailing 23492:11</p> <p>preventable 23492:13 23492:13,14 23495:2</p> <p>prevented 23398:16 23449:9</p> <p>previous 23399:14 23409:15 23413:21 23446:6 23469:22</p> <p>previously 23360:2 23380:6 23396:18 23399:2 23407:3,10 23407:18 23435:23 23452:13 23453:1,12 23498:20</p> <p>pre-hospital 23491:20</p> <p>price 23499:15</p> <p>prima 23387:10 23402:15</p> <p>primarily 23486:17</p> <p>primary 23480:25</p> <p>principally 23495:4</p> <p>principle 23370:6,8,13 23370:15</p> <p>print 23424:21</p> <p>printed 23343:4</p> <p>printout 23376:2,7,12 23376:13,14,20</p> <p>prior 23359:22 23392:24,24,25 23393:1 23396:4 23406:19 23407:6 23478:23</p> <p>private 23339:20</p> <p>probable 23440:4</p> <p>probably 23347:17 23352:7 23365:24 23385:16 23387:3 23432:2 23438:24 23441:8,9,17 23442:1 23458:10 23460:3 23494:14</p> <p>problem 23347:20 23376:19 23382:16 23384:20 23387:18 23391:25 23393:4 23395:11 23396:4</p>	<p>23401:16 23411:12 23412:11 23473:24 23497:14</p> <p>problems 23442:15 23450:13</p> <p>proceed 23375:14 23377:5 23382:2 23388:7 23397:14 23428:7 23451:25 23469:10 23484:25 23485:3 23493:22 23502:2,4</p> <p>proceeded 23431:4 23438:18 23453:4 23470:17 23485:7</p> <p>proceeding 23381:18 23432:2 23471:9</p> <p>PROCEEDINGS 23339:1</p> <p>process 23379:8 23380:2</p> <p>processes 23501:17</p> <p>produced 23467:15 23468:24</p> <p>Prof 23345:10 23346:9 23346:14</p> <p>professionally 23500:21</p> <p>Professor 23490:20,21 23490:25 23491:1,10 23491:14 23493:24 23494:1,20 23495:4</p> <p>progress 23355:7 23366:15</p> <p>projectile 23471:2</p> <p>projection 23353:20</p> <p>prominent 23424:3,8 23424:11</p> <p>promoted 23464:4</p> <p>prompted 23398:4 23436:14</p> <p>promptly 23501:24</p> <p>proposals 23413:1</p> <p>proposed 23386:3,6 23456:22</p> <p>Protea 23348:10 23352:3,4,16 23353:5 23353:6</p> <p>protect 23380:17</p> <p>protected 23399:18</p> <p>protecting 23481:22</p> <p>protesters 23431:15 23485:8,10</p> <p>provide 23492:9</p> <p>provided 23371:7</p> <p>providers 23491:20,22</p> <p>Province 23368:25</p> <p>provisionally 23355:1 23355:7 23358:7</p> <p>proximity 23491:5</p> <p>public 23464:23</p> <p>pure 23474:4</p> <p>purple 23418:6 23496:22</p> <p>purpose 23347:11</p>	<p>23349:5 23350:1 23354:10 23486:8,11 23500:15</p> <p>purposes 23347:2,8 23351:11 23362:19 23433:13 23438:20</p> <p>pursuant 23465:19 23472:2</p> <p>put 23343:19 23345:6 23388:20 23389:6 23392:5 23393:6 23405:11 23406:3 23415:20 23423:18 23426:10 23427:16 23430:23 23432:3 23438:8,25 23442:19 23449:10 23461:10 23467:14 23468:18 23468:19,23 23469:3 23473:20,21 23476:8 23476:20 23477:20 23478:11 23483:20 23485:15,16 23486:25 23487:24 23488:3 23493:12 23495:14 23497:15 23498:4 23501:6</p> <p>putting 23386:15 23388:4 23462:22 23497:16</p> <p>puzzled 23393:11</p> <p>pyrotechnic 23383:2 23393:2</p> <p>pyrotechnics 23378:9 23379:1 23383:11,13 23383:17,19,23,24 23392:5,24 23393:2 23394:23 23400:10 23400:15 23401:10 23401:19,20,23 23402:12 23403:11 23403:13,17,22 23404:1,10</p>	<p>23412:17 23413:11 23475:14 23484:19</p> <p>quite 23347:9 23349:14 23376:10 23378:6 23379:12 23383:1,4 23388:22 23392:1 23404:25 23409:10 23412:17 23424:8 23448:24 23468:4 23482:21 23484:2 23493:4</p> <hr/> <p style="text-align: center;">R</p> <p>radio 23378:1 23379:21 23381:1,3 23382:6 23383:10,17 23383:25 23392:6 23403:22</p> <p>raise 23345:16 23368:16,23 23406:3 23481:3</p> <p>raised 23399:13 23473:22 23478:23</p> <p>ran 23459:21</p> <p>rank 23340:19</p> <p>rate 23382:17</p> <p>rational 23398:21</p> <p>rationale 23396:18</p> <p>reach 23344:5,13 23347:4 23351:18,24 23352:1,9 23410:18 23436:8 23478:13 23487:19</p> <p>reached 23345:21 23353:20 23365:18 23365:18 23372:10 23374:13,15,16 23410:20 23429:10 23438:11 23439:9,11 23492:9 23495:2 23496:23 23497:2,9 23497:23 23498:1,2,7</p> <p>reaches 23365:25 23477:23</p> <p>reaching 23354:21,23 23429:15 23449:10</p> <p>reacted 23499:10</p> <p>reaction 23407:22 23408:9,15,24 23409:2</p> <p>read 23350:4 23379:21 23380:6 23392:7 23460:6 23470:13 23475:16 23485:19</p> <p>readers 23430:22 23432:25 23433:12</p> <p>reading 23409:15,18 23467:8</p> <p>real 23449:11</p> <p>realise 23429:19 23433:24</p> <p>realised 23422:3 23429:21 23432:24 23436:13 23445:15</p> <p>realising 23416:7 23423:25</p>
---	--	--	--	---

<p>realistic 23492:7 really 23361:21 23372:15 23397:15 23420:24 23424:5 23427:25 23428:17 23439:8 23448:24 23453:25 23458:20 reason 23345:15 23347:1 23375:12 23385:13 23386:11 23390:11,17 23393:20 23395:4 23403:9 23413:10,14 23413:18 23434:12 23441:20,22 23442:5 23462:15,16 23463:11 23467:18 23473:12 23476:19 23480:24 23481:16 23482:12 reasonable 23355:25 reasons 23418:3 reassess 23442:6 recall 23364:25 23366:21 23407:10 23422:21 23457:2 recap 23366:25 receive 23493:17 received 23342:7 23346:17,21 23368:20 23419:21 23492:8 recognise 23351:9 recollected 23389:23 recollection 23373:9 recon 23420:3 reconnect 23375:3 reconstruction 23500:9 record 23350:4 23356:14 23359:5 23360:8 23368:3 23371:17 23415:21 23430:22 23432:25 23433:12 23445:3 23454:12 23455:3 23460:11 recorded 23351:13 23392:6 23470:10 records 23339:14,19 23340:5,18,20,25 23341:15 23344:9,11 23346:24 23347:10 23355:10 23359:11 23364:18 23365:3 23367:24 23368:12 23368:17,18,22 23369:1 23388:21,21 23410:21,23 23457:25 23491:2 23496:11 rectangle 23436:25 23437:2 23444:22,25 23447:20,21 23448:8 23456:2 rectified 23486:16 rectify 23500:18</p>	<p>red 23417:18 23418:7 23444:22,22,25 23445:8 23447:19 23455:9,13 23496:22 redeploy 23398:12 redial 23356:15,18,20 23357:3,4 refer 23372:23 23482:7 23490:20 23491:13 23491:17 reference 23482:8 23487:4,6 referred 23345:7 23350:6 23392:13 23399:10 23440:21 23445:5 23478:22 23487:13 23489:14 23497:17 referring 23345:11 23433:12 23461:19 23461:20 23489:13 refers 23345:6 23466:21 reflect 23368:4 23500:14 reflected 23346:24 reflects 23359:21 23402:18 regard 23343:10 23365:3 23389:13 23409:11 23418:14 23467:24 23471:21 23488:18 23490:19 23491:3 23494:19 regarded 23471:24 regarding 23370:1 register 23370:16 23466:19 regret 23499:13 regrettable 23499:20 reject 23489:1 rejecting 23461:7 relate 23345:2 23384:5 23451:21 relates 23375:21 23391:25 23460:15 23477:13 relating 23468:5 relation 23339:5 23355:10 23366:25 23394:1 23402:4 23480:23 23481:10 23482:18 23487:25 23495:15 relatively 23476:18 23494:5 relatives 23493:15 relevant 23368:12 23405:4 23478:7 reliability 23389:13 relied 23483:3 rely 23441:13 remain 23373:8 remained 23466:8,13 remains 23366:10 remarkably 23389:6</p>	<p>remember 23370:21 23373:6,9 23385:14 23385:18 23386:6,25 23388:3,4 23389:1 23394:9 23395:3,10 23402:21 23403:21 23409:11 23417:17 23422:25 23428:17 23435:25 23440:12 23440:15,19 23450:10 23464:24 23489:15 23490:5 remembers 23460:1 remind 23405:12 23448:23 reminded 23405:19 23474:5 render 23386:2,22 reorganisation 23431:14 23432:5 23436:16 23444:1 reorganise 23411:8,20 reorganised 23431:24 reorient 23361:3 reorienting 23449:8 repeat 23498:23 report 23340:24 23341:4,22 23345:10 23346:9,9,15,19 23355:3 23380:6 23392:6 23408:11 23490:20,21,25 23491:14,15,16 23492:14,25 23493:1 23493:25 23494:21 reported 23484:22 reporting 23380:8,12 reports 23346:14 representation 23340:9 23340:11,17 23341:21 representatives 23457:5 requested 23371:7 23393:23 require 23375:2 required 23381:20 23488:24 reserve 23396:18 reserved 23469:10 resolution 23349:16 23350:15 23443:21 respect 23407:4 23450:21 23482:23 23501:7 respond 23383:16 23397:1 23410:12 23472:13,13 23478:15 responded 23380:22 23383:20 response 23360:25 23361:2,18,23 23366:2 23386:20 23388:24 23396:24 23398:19,25 23399:3</p>	<p>23404:11 23406:21 23407:13 23413:14 23413:15,16 23414:10 23415:14 23439:24 23456:4 23500:11 responses 23466:22 responsibility 23414:2 23482:3 23488:7,13 23489:1 responsible 23345:4 23406:22 23408:8 rest 23386:10 23387:5 23403:5 23452:20,24 23453:10,14 23454:3 23485:4 23487:1 23501:6 result 23350:6 resume 23375:10 23448:14 resumes 23339:2 23375:11 23405:6 23448:15,16 RESUMÉS 23490:11 retained 23417:1 retro-peritoneal 23494:12 retyped 23483:20 23484:2 reverse 23405:9,10,11 23405:14 re-examination 23427:2 23469:9 23477:3 re-organisation 23445:18 23451:9 rights 23469:8 right-hand 23359:17 23359:18 23361:5 23362:5 23363:10,11 23372:9 23444:15 river 23431:21,22 23432:4 rocks 23475:14 rocky 23470:24 roll 23370:9 Roots 23476:18 23477:13 23478:7,16 rough 23353:12,13 23354:12,14 23356:1 23356:4,6 23357:12 23357:18,20 23358:12 23359:7 23401:17 roughly 23357:17,17 23358:18,19,20,21 roughness 23374:9 round 23357:19 23358:2,6 23413:7 23419:4 23464:18 23487:21,22 rounds 23353:16 route 23373:20 23378:18 23413:8,16 23413:19 23414:6,13 23414:15,16,17,22,24</p>	<p>23414:25 23415:10 23416:8,9,13 23417:1 23417:18,18 23418:6 23418:7 23420:24 23423:21 23424:7,9 23426:1 23434:2,23 23435:10,11,24 23436:1,7 23488:6 23498:3,14 23500:12 routes 23412:23 23416:12,12 23418:5 23418:9 23496:23 23497:11,13 23498:17 23500:4 23501:4,5 row 23347:21 rows 23360:3 rule 23497:3 ruled 23474:7 running 23383:8 23386:14 23443:16 23444:24 23464:16 23465:12,20 23479:22 runs 23340:6 23367:1 23432:21 rushing 23477:25 Rustenburg 23416:20 23421:8 23492:2 R5 23449:18,25 23450:9 23451:6 23452:7 23488:10 23495:10,11 R5s 23381:11</p> <hr/> <p style="text-align: center;">S</p> <p>sake 23355:6 SAPS 23339:11,14,17 23339:20,23,25 23341:24 23344:9 23355:1 23358:10 23366:8 23368:20 23370:1,18 23426:9 23432:9 23435:10 23456:14 23457:6 23458:13 23467:14 23467:14,17,21,23 23470:2,10 23478:4,7 23478:9,13 23479:2 23486:23 23488:1,4 23489:8 23490:23 23500:9 SAPS's 23341:8,9 sat 23499:10 satisfied 23343:7 23490:25 saved 23491:11,11 saw 23417:21 23435:24 23453:7 23458:2 23459:16 23462:5 23464:15 23465:12 23465:20 23485:10 23496:10 saying 23356:4 23383:14,21,22 23393:24 23398:20</p>
--	---	---	---	--

<p>23398:21 23415:5 23424:2 23433:9 23434:17 23440:20 23441:11 23461:8 23463:7 23468:17 23488:12 23493:18 23497:6 23498:10 says 23339:23,24 23347:21 23352:14 23357:25 23358:1 23360:4 23362:25 23377:13 23380:6 23397:15 23427:18 23433:11 23436:9 23437:2,3 23461:23 23465:10,11 23468:2 23468:3 23469:6 23471:7,10,23 23475:4 23482:7 23484:22 scenario 23488:14 scenes 23493:7,12 scheme 23492:14 scope 23491:20 scoring 23494:19 Scott 23339:20 23409:20 screen 23344:25 23345:6 23347:15,20 23349:20,21 23352:15 23353:4,7 23353:19 23359:14 23375:20,22 23376:5 23376:9,23,25 23412:8 23415:11 23424:10 23426:16 23432:22 23436:19 23443:21 23444:3,8 23444:10,14 23445:22 23446:10 23446:17 23451:2 23452:20 23453:8,9 23454:5,8,10,17 23455:4 screening 23345:4 screenshot 23349:18,18 23349:23 23351:7 23443:3,10,13 23447:19 screenshots 23442:15 23442:16,18 23443:17 23447:15 se 23472:16 search 23464:14,20 23465:11 23475:7 second 23355:13,14 23361:24 23362:11 23364:23 23365:6 23385:1 23413:12 23428:1,8 23434:7 23437:8 23438:11 23439:2,3,13,15 23440:8,23,25 23441:16,19,20 23442:5,13 23443:10 23443:13,13,22,23</p>	<p>23445:16,21 23446:9 23446:13,20 23447:1 23447:4,5 23450:3,5 23450:22 23451:3 23466:24 23467:1 23470:18,19,20 23471:10,11 23475:13,21 23480:2 23480:3,5,7,17,17 23496:18 23497:23 23498:6 23500:11 23501:23 secondly 23457:21 23488:17 section 23431:6 23455:13 23491:16 secure 23488:4 seek 23372:3 seeking 23373:13 23467:3 seen 23342:11,17 23346:20 23380:18 23387:23 23390:22 23397:15,17 23400:1 23400:3 23402:8 23417:22 23449:19 23466:2 23493:13 23499:24 sees 23423:5 23443:21 23443:24 self 23447:6 self-assessment 23434:3 Semenya 23339:7 23344:24 23345:4,6 23368:1 23391:12,13 23391:22 23426:19 23426:20,24 23427:4 23460:8 23466:19 23468:7 23473:14 23481:11 Semenya's 23460:10 send 23407:13 sending 23497:20 sense 23450:13 23487:7 23496:7 sensible 23397:16 23427:3 23461:6 sent 23470:2 separate 23350:17 23382:20 23483:15 separated 23453:10 sequence 23384:2,4 23453:23,23 seriatim 23460:12 series 23347:21 23450:12 serves 23442:9 service 23369:10,10 servicing 23407:6 set 23341:15 23470:2 settled 23339:5 seven 23388:19 23389:10 seven-minute 23431:14 severe 23492:3</p>	<p>sharp 23381:9 23392:8 shield 23438:4 shift 23364:6 shoot 23464:18 shootings 23344:12 23347:3 23355:18 23373:23 23374:10 23374:11,17,17 23378:7,10,23 23382:24 23383:1 23388:13,22 23389:2 23389:9 23398:1,5 23449:21,24 23450:4 23450:14,24 23451:5 23455:8,9 23474:3 23479:18 23489:10 23496:9,20 shootout 23450:20 short 23352:20 23357:1 23372:10,24 23392:21 23423:19 shortest 23373:19 23378:18 23395:25 shortly 23367:18 23378:9 shot 23445:22 23446:10,17 23449:18 23451:2,6 23452:20 23453:8,15 23453:18 23454:5,7,8 23454:10,14,18,25 23455:4 23459:24 23471:1 23475:13 23479:19 23485:20 23495:18 23496:24 23497:2,10,24 23498:9 shotgun 23494:4,6 shots 23383:25 23384:1 23459:23 23460:15 23460:25 23461:6 23467:2 23472:5,7,13 23472:14 shouldn't 23376:16 23428:25 show 23395:23 23400:13 23417:14 23417:15 23426:12 23442:15 23445:17 23445:17 23451:1 23453:15 23454:4 23468:4 23489:18,25 23495:12 showed 23451:9 23488:19 23489:15 23489:22 showing 23428:6 23446:13 23495:15 shown 23389:5 23424:10 23426:15 23434:1 23466:25 23493:13 23495:25 shows 23352:18 23396:3 23409:12 23417:15,16 23488:16</p>	<p>Siamese 23447:13,14 side 23359:17,19 23361:5 23362:5,6,13 23363:10,12 23392:23 23399:11 23401:8 23402:10 23405:3,7,9,10,11,14 23409:4 23412:24 23418:20,25 23419:17,22 23422:16,17 23423:9 23423:15,25 23424:10 23425:8,12 23425:15,18 23426:3 23426:4,5,7,14 23429:25 23430:1,2 23431:5 23432:21 23433:24 23435:11 23435:16,17 23437:14,17 23445:5 23445:6,7,12 23449:16 23455:15 23455:17,19,19 23458:7 23459:12,15 23462:3 23463:6 23470:20 23474:4 23496:15 23497:20 sides 23391:18 sight 23390:10 23396:19 23399:3,21 23403:12 23404:9,15 23434:2 23450:10 signal 23386:4,13 23387:4 23412:9 23424:17,18 significant 23494:3 silent 23482:9 similar 23366:3 23396:4 simple 23397:1 simplest 23434:23 simply 23341:4 23402:6 23403:4 23420:13 simultaneously 23456:18 single 23457:6 23462:24 sinister 23402:6,16 23403:4 23487:14,14 sir 23352:13 site 23494:17 sitting 23427:12 situation 23380:5 23385:21,22 23386:8 23395:17 23399:5 23479:5,19 23488:4,5 six 23367:3 23446:1,5 slide 23384:19 23443:25 23444:18 23445:16,17 23450:25 23451:18 slight 23375:2 slightly 23361:21 23456:8 slimes 23409:4</p>	<p>slowly 23379:6 23441:24 23448:1 small 23363:5 23365:19 23372:11 23372:12 23401:8 23404:22 23418:25 23444:10 23475:13 23475:21 23494:5 smaller 23472:18 smelter 23389:18,23 smoke 23382:13 23404:2 soft 23494:19 sojourn 23436:7 sold 23423:19 solve 23393:17 solved 23412:7 somebody 23407:7,8,14 23408:4 23435:18 soon 23402:14 23463:10 23475:6 sorry 23342:12,20 23344:24 23346:12 23348:20 23349:16 23350:2 23357:22 23358:19 23359:6 23361:20,25 23364:17 23371:20 23372:14 23375:1 23378:12 23384:12 23384:18 23401:21 23403:14 23405:11 23412:4,21 23425:16 23430:20 23438:7,21 23444:13 23445:2,20 23455:20 23462:21 23463:21 23465:3,4,5 23474:25 23483:6 sort 23386:8 23396:12 23408:25 23409:12 23444:5,24 23447:6 23448:7 23455:13,16 sorts 23449:2 23491:6 sound 23464:17 23465:14,22 sounds 23356:23 23358:1 23375:6 23427:3 23448:9 source 23347:1 23369:25 south 23426:3 southern 23425:15,17 23459:12,15 23462:2 23470:20 23475:8 south-west 23477:23 23479:22,23 space 23411:11 23464:4 23494:12 span 23501:11 speak 23453:11 23458:13,13 23465:8 23467:23 speaking 23387:10 speaks 23460:15 23462:25 23463:2 23464:19 23467:24</p>
---	---	--	--	--

<p>23468:1 spears 23464:16 23465:13,21 23471:1 special 23456:8 specific 23369:11,12 23370:7 23451:18 23456:25 23486:14 23486:15 23498:20 23499:5 specifically 23369:4 23373:6,10 23385:13 23385:18 23386:6 23389:22 23422:21 23451:17 23463:5 23468:15 23474:1 23478:18 23481:23 speculate 23473:15 23474:1,6 23475:24 23481:4 speculating 23368:13 speculation 23395:11 23474:4 speed 23341:1 23352:5 23357:7,8 23366:25 23367:5 spell 23469:16 spend 23368:8 23369:15 23427:14 spent 23434:15 spoke 23437:1 spot 23353:3,6 23385:3 23390:5 23432:19 23437:5,9 23438:11 23439:1,2,3,4,13,15 23440:4,24,25 23441:15,19 sprayed 23455:12 23456:17 squad 23455:22 23475:15,16 square 23444:22 stabilised 23491:25 stage 23339:12 23345:18,22 23360:22,24 23361:16 23367:20 23373:18 23378:20 23379:4 23382:4 23400:13 23402:23 23404:20 23406:17 23406:22 23407:3,5 23407:11 23408:2 23415:15 23417:11 23420:17 23428:16 23433:24 23434:25 23436:12 23442:17 23442:21 23449:19 23451:13 23452:2,4 23452:14,14 23453:15 23459:19 23459:23 23462:7,15 23465:2 23466:1 23472:4 23487:19 23489:20 23497:4 stain 23455:11 stall 23386:12</p>	<p>stalled 23385:14,17,21 23386:7,13,18 stalling 23385:19 23387:6 stand 23350:17 23395:5 23404:2 23454:15 standing 23379:15,17 23379:22 23400:16 23447:7 23468:19 23485:12 23488:21 standstill 23441:10 stapled 23342:10 23343:1 start 23339:3 23347:12 23359:11 23360:17 23365:24 23380:1 23381:24 23384:6 23385:4 23423:7 23433:9 23440:8,13 23442:2 23448:1 23449:15 23450:5,22 23452:10 23455:23 23459:1,8 23465:17 23465:22 23493:21 23495:15,16 started 23355:15 23366:16,20 23371:24 23379:2,2 23381:25 23383:3,5,6 23383:16 23384:11 23384:16 23388:16 23393:2 23395:2 23396:11 23400:15 23402:1 23430:11 23441:6 23449:8 23450:7 23452:8 23453:24,25 23454:1 23462:8 23464:17 23465:14,25 23477:6 23479:7 23480:2,9 23496:16,18 23497:22 starting 23362:1 23366:6 23367:2 23382:21 23383:13 23387:7 23400:24 23401:5 23403:10,14 23404:8 23446:10 23498:5 starts 23365:14,23 23442:13 23449:23 23450:1 23459:15 start-up 23384:7,12 23385:5 state 23428:5 23464:18 23465:14 23485:21 statement 23372:22 23373:18 23377:25 23380:21 23394:9 23434:4,9 23436:12 23456:6,12 23457:6 23460:12,14 23463:22 23464:5 23465:25 23468:17 23469:12,13 23472:5</p>	<p>23472:9 23473:16 23474:10,13 23481:5 23481:13 23482:21 23482:21,22 23483:11,12,17,19 23485:22 statements 23397:3 23456:23 23457:4 23458:12,19 23465:23 23466:1,5 23467:1,4,13,15,22 23468:24 23469:4,5 23469:23 23470:6 23476:5,14,14,16,18 23476:19,19,25 23477:1 23480:22 23481:12,20 23482:4 23482:6,13,17 23483:15 23488:1 statement's 23470:12 states 23494:2 static 23382:18 stating 23462:18 station 23349:8,11 23352:21 23362:18 23362:20 23372:22 23372:23 23385:10 23389:2,23 23392:24 23402:11 23409:7 23411:25 23414:20 23416:14,14 23418:21 23419:1,10 23419:12,13,15,15,18 23419:19,22 23421:20 23422:2,18 23423:12,24 23424:7 23424:7 23425:9,12 23426:5,7,15 23429:14,15,15,25 23430:1,2 23431:5 23434:6 23436:8,23 23436:24 23437:14 23437:18 23445:7,12 23448:4 23449:17 23453:5 23458:17 23459:11,14 23461:25 23462:4,14 23463:11 23465:1 23466:8,13 23475:10 23485:3 23496:17,19 23497:20 23500:13 stationary 23367:2,22 23371:13 23373:8 23400:19,23 23401:1 23410:25 stationery 23431:14 stay 23411:12 23431:15 23434:11 step 23379:5 23398:24 23398:24 23433:9 23448:23 23452:23 STF 23455:11 stills 23417:21 stone 23489:11 stood 23436:3 stop 23348:10</p>	<p>23384:25 23397:24 23398:2 23411:15 23428:11 23449:8 23459:18 23462:6 stopped 23371:22 23378:16 23384:24 23385:3 23388:23 23397:25,25 23408:23 23409:2,6 23430:8 23431:3,6 23440:10 23441:23 23451:19 23462:14 23462:15 23485:17 23497:19 23500:4 straight 23421:20 23422:12 23430:10 23496:20 straightforward 23409:23 street 23404:19 23424:15 23425:4,8 23425:11 23426:14 stretch 23379:5 stretched 23361:13 23399:6,20 23453:14 stretches 23361:8 stretching 23363:6 23382:22 23401:6 23444:6 strike 23489:19 strikers 23380:14,15 23432:5,8 23461:3,5 23461:15,17 23477:7 23477:25 23479:22 strikes 23365:2 23387:14 23396:12 23396:19 striking 23475:6 23478:8 23485:22 strongly 23488:2 structure 23409:10 struggle 23404:9 studied 23466:5 23481:20 studying 23352:12 stuff 23407:7 stun 23392:5 stun-grenade 23381:5 sub 23422:17 subject 23339:11 23346:19 23355:1 23358:8 23500:25 submission 23452:13 submit 23467:25 subsequent 23434:4 substantial 23409:8 substantially 23349:15 substation 23344:6,14 23347:5 23351:8,9 23362:3,4,4,12 23365:19 23366:1 23372:11,12 23404:13,23 23409:6 23415:7 23435:11,16 23435:17 23486:20 23486:25</p>	<p>substations 23362:3 sub-arachnoid 23494:5 sub-station 23399:10 23399:12,17 23401:8 23420:7 23421:14,23 23421:24,24,25 23422:4,5,7,11,17 23423:7,10,14 23472:12 23496:15 succeeded 23428:5 suddenly 23387:24 23432:24 suffered 23494:2 suffice 23362:21 sufficient 23406:24 23486:14 23487:11 23492:9 suggest 23398:6 23404:5 23456:16,18 23469:2 23476:11 23494:17 suggested 23369:16 23395:12 23426:15 23431:17 23465:24 23469:1 suggesting 23353:10 23371:12 23394:4 23397:10,11,20,20 23426:2 23463:1 23465:25 suggestion 23395:14 23397:12,23 23398:21 23418:12 23427:4 suggests 23457:6 23478:5 suitable 23375:6 summary 23427:21 sun 23435:19 supplementary 23470:2 supplied 23370:17 supplies 23406:24 support 23407:2 23449:1 23466:2 23467:16 23487:6,8,9 23491:22 supported 23455:10 supports 23471:20 suppose 23340:19 supposed 23409:21 23433:16 23434:14 23452:9 23487:20 sure 23342:23 23347:14 23371:1 23389:25 23390:10 23390:16 23402:5 23403:20 23404:24 23406:24 23407:4 23408:3 23409:16 23426:13 23435:20 23439:14 23440:18 23441:2 23453:15 23462:11 23477:2 23481:19 23485:19 23497:25 23498:1</p>
--	--	--	---	--

<p>23501:24 surely 23387:24 23428:25 23429:18 23466:9 23483:7 23484:17 surprised 23472:25 surrounding 23399:11 survival 23492:6,10 23494:22 survive 23346:17 23492:12 suspect 23371:23,25 suspects 23485:17 sweep 23470:15 23475:7 sweeping 23485:7 switch 23364:2,3,7,8,9 23364:9,12,13 23365:12 23367:20 23373:8 23386:19 23403:23 23404:18 23412:12 switched 23360:2,21 23361:12 23363:12 23363:13 23364:4 23365:9,10,11,16,22 23365:23 23367:11 23367:13,17,22 23372:8,12 23373:7,9 23374:23 23375:17 23382:19,19 23385:25 23388:10 23388:11,14 23392:16 23396:10 23401:7,22 23403:20 23404:21 switching 23373:4 23385:19 23386:25 23400:24 sword 23473:23 sworn 23483:16,24 23484:8 system 23494:20 s.u.o 23342:16 23405:13</p> <hr/> <p style="text-align: center;">T</p> <p>table 23341:1 23394:17 tactical 23473:6 23487:10 tactically 23473:3 take 23349:18 23351:23 23352:1 23356:8 23357:5,14 23358:2 23360:20 23368:8 23375:5,6,7 23375:21 23381:16 23382:7 23385:5 23386:19 23396:12 23397:18 23398:23 23404:19 23405:5 23412:24 23414:21 23416:22 23420:13 23420:24 23424:11 23429:10 23433:7,9 23435:24 23444:23</p>	<p>23449:1 23450:14 23457:13 23458:21 23459:20 23460:24 23461:6 23462:8 23469:24 23471:17 23471:18 23473:6 23475:10,23 23482:20 23485:24 23486:24 23487:7,20 23490:9 23501:16 taken 23340:24 23351:17 23352:15 23353:3,5 23356:9,12 23370:10 23371:13 23379:4 23381:19 23382:5 23385:25 23399:16 23406:23 23407:17 23414:17 23416:24 23429:9 23449:19 23450:17 23452:23 23455:1 23457:22 23482:17 23486:19 23495:21 23495:22 23496:6,24 23497:2,10 23498:3 23499:11 23501:6,9 takes 23429:7 23445:9 talk 23477:24 talking 23431:8 23433:17 23457:15 23458:19,20 23467:1 23490:1 tall 23404:6 Tangwane 23484:11 tap 23356:12 task 23408:1 23456:8 23485:15 tautologous 23483:24 tea 23405:1,1,5 23476:13 23487:20 23490:9 team 23355:1 23366:11 23457:6 23470:2 technical 23386:2,22 23412:5,6 23490:22 23490:23 23491:16 telephone 23407:9 tell 23358:11 23378:3 23379:9,13 23397:9 23434:6,25 23436:18 telling 23342:13 23393:16 23394:5 23481:13 tells 23393:14 ten 23375:5 23451:4 term 23378:7 23389:24 terminated 23365:5 23367:14 terms 23339:5 23344:15 23354:12 23354:14,16 23374:4 23389:22 23394:20 23435:2 23451:20 23452:16,17 23456:10 23457:24 23458:1 23472:9</p>	<p>23476:20 23486:5 23487:5,12,16 23488:16 23496:8 23500:14,19 terrain 23375:18 23386:24 23408:25 23497:13,17 23498:21 23500:4 terribly 23448:11 territory 23474:8 testified 23361:16 23367:8,15 23374:20 23378:5,15 23383:1 23390:15 23395:25 23397:4 23401:12 23402:21,24 23403:19 23410:9 23416:18 23417:21 23417:24 23420:3 23435:23 23452:13 23453:13 23457:20 23458:2,6,8 23460:21 23461:14 23463:7 23471:17 23472:10 23472:20 23473:5 23487:16 23499:23 testify 23367:23,25 23402:2,22 23403:24 23439:18 23462:20 testifying 23418:11 testimony 23361:19 23372:24 23373:22 23373:25 23374:3,6 23389:13 23404:15 23406:17 23407:3 23436:12 thank 23343:20,25 23348:4,19 23369:23 23372:5 23403:7 23405:18 23421:10 23427:4 23439:19 23448:18,20 23454:24 23459:7 23463:17 23469:20 23479:3 23490:10,14 23490:16 23493:23 23496:5 theirs 23339:16 theoretical 23492:12 theory 23458:8 there's 23342:22 23345:8 23354:7 23355:3 23356:13 23357:17 23358:20 23371:8 23387:8 23403:8 23405:3 23408:25 23409:3 23412:11 23413:16 23419:15 23422:5 23427:24 23438:7 23440:6 23451:13 23460:18 23462:16 23478:9 23481:16 23483:15 23484:1,15 23487:6 they'd 23346:17</p>	<p>they'll 23433:1 they're 23427:12 23476:10 they've 23352:23 thing 23366:2 23397:16 23441:23 23448:22 23457:9 23461:6 23468:10 23477:11 23481:12 things 23350:12 23357:8 23359:12 23376:23 23379:11 23379:25 23383:11 23395:6 23403:18,21 23452:12 23462:18 23473:23 23478:8 23480:4 23499:11 23500:3,15,17,20,24 23501:14,18 thinking 23445:3 third 23340:21 23342:24 23445:9,17 23446:9,12 23471:8 23475:5 thought 23341:12 23356:24 23361:22 23387:2,10 23393:24 23395:24 23398:24 23411:11 23414:24 23415:14,17,18,23 23427:18 23446:9 23452:5,14 23467:3 threat 23453:22 23494:15 three 23339:9 23340:2 23342:7,22 23363:4 23412:22 23416:12 23449:17 23451:11 23451:14,25 23454:1 23454:4 23455:20 23458:3,7 23462:13 23485:4,11 23488:4 23491:19 23500:8 thrown 23489:19 thrust 23369:5 Thursday 23464:7 ticked 23449:14 timed 23356:9 timeous 23494:23 timeously 23406:25 23467:19 times 23347:10,11 23354:15,23 23357:23,23 23358:17,17 23359:9 23359:11 23360:19 23360:20 23364:7,7 23364:11,17 23374:15,15 23375:22 23376:9 23384:5 23389:9 23391:25 23392:11 23393:7 23396:2 23400:6 23402:23,23 23403:1 23441:13 23487:25 23500:8</p>	<p>timing 23374:5,5 tissue 23494:19 title 23340:19 today 23345:12 23412:5 23488:3 told 23349:22 23368:21 23376:8 23380:25 23382:2 23395:10 23435:10 23492:25 tomorrow 23502:6 Tongwane 23482:24 23484:12,13,17 top 23348:1 23362:6 23384:19 23392:17 23406:4 23416:3 23431:5 23432:22 23444:15 23445:8,10 23455:13 23495:19 torso 23494:7 total 23468:18 totally 23467:11 touching 23409:25 tourniquet 23495:1 township 23414:13 tracked 23370:7 tracking 23344:9,11 23359:3 23388:21 traffic 23397:18 23402:10 transcripts 23389:21 translate 23496:7 translated 23364:14 translates 23366:14 transpired 23386:24 transported 23491:24 trauma 23493:14 travel 23353:11 23408:23 travelled 23372:24 travelling 23392:22 23425:19,23 23440:23 treatable 23491:20 treatment 23346:18 23385:23 23490:18 23492:18 trees 23475:14 triangle 23447:19 tried 23380:9,22 23386:9 23387:18 23388:16 23438:18 23475:18 23488:16 TRISS 23494:19 troops 23396:18 23399:2 trousers 23495:19 TRT 23380:9,15,16,20 23380:20,22 23458:4 23477:22,25 23478:3 23479:21 true 23468:8 23486:6 trust 23417:1,4,5 truth 23393:10,18 23469:4 23488:13 try 23355:11 23356:14 23371:16 23374:24</p>
--	---	---	--	--

<p>23386:2 23418:4 23422:9 23433:25 trying 23354:11 23369:6 23373:6,23 23384:5 23385:23 23388:5 23396:3 23411:11 23416:9 23421:7 23427:8 23434:15,19 23439:7 23440:1 23441:6 23459:20 23462:7,17 23499:4,6 Tsepiso 23474:19,20 23475:4 turn 23373:6,12,12 23374:10 23377:12 23377:14 23378:18 23381:16,17 23384:18 23386:9 23387:18,24 23388:6 23394:6,24 23395:10 23397:21 23410:15 23411:9,16 23415:24 23419:4,20 23421:4 23421:14,19,23,24 23422:6,10,16 23424:11,21 23427:25 23428:1,6 23428:17,18,20,20 23429:9,10,14 23430:9 23435:16 23449:15 23483:5 23497:19 turnaround 23406:2 23411:6 turned 23359:21 23372:12,22 23374:11,19 23379:6 23379:7,13 23384:10 23385:6 23387:22 23392:2,8,10,15,20 23392:22,23 23397:5 23398:7 23400:12 23404:22 23410:15 23411:21 23414:11 23415:1,9,18 23416:4 23416:6,7 23418:2,24 23418:24 23419:9,14 23420:7 23421:5 23422:9,21,24 23427:6 23453:3 23459:20 23486:3 23498:5 turning 23344:5 23373:22 23378:24 23385:17 23387:5,23 23411:12,21 23415:15 23419:12 23420:19 23422:19 23423:6,6,8 23486:19 23486:22,24 turnoff 23351:8,24 23352:1,21,24 23353:7,20 23354:21 23354:23 23362:14 23365:18 23372:11</p>	<p>turns 23369:20 23388:18 23449:2,7 23449:12,13 23483:4 turn-off 23423:2,21,22 twenty 23375:4 twins 23447:9,13,14 two 23342:9,23 23343:16 23344:1 23356:14 23362:3 23363:21 23364:3,11 23364:23 23365:6,6 23367:7 23382:20 23400:23,25 23403:18,21 23410:25 23412:22 23413:20 23415:20 23435:3 23437:14 23441:1 23442:20 23445:13 23451:10 23451:17 23452:12 23455:11,16,16,18,19 23457:12 23464:4 23466:21,22,25 23483:14 23492:1 23495:11 23500:10 twofold 23413:10 two-edged 23473:23 type 23467:2 types 23466:22</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>ultimately 23365:5 23423:8 unable 23415:6 23473:18 unaware 23478:4 understand 23339:3,4 23350:24 23354:15 23359:4 23370:23 23372:4 23377:3,6 23383:22 23390:4,11 23390:13 23391:7,16 23391:19 23394:3,4 23394:17 23397:11 23398:8 23405:3 23421:7 23427:9,18 23439:4,6,16 23440:18,19 23441:12 23447:17 23461:7 23468:23 23469:3 23479:5 23483:1 23492:22 understanding 23378:17,19 23380:18 23381:20 23397:8 23416:8,21 23420:21 23448:13 understood 23384:15 23418:18 23477:15 23486:10 unfair 23466:21 23467:11 23468:22 unfolding 23383:10 unfortunately 23351:12 23368:15 23368:16</p>	<p>uniform 23464:8 unique 23462:24 unit 23434:10 23457:1 23471:18 23484:24 23485:5 units 23464:12 23487:6 23487:10 unreliable 23389:6 23390:3,7 unsupported 23468:6 untruth 23394:5 upper 23494:8,18,25 urgent 23434:15 urging 23420:15 use 23353:15 23370:2 23409:16 23412:11 23433:2 23467:10 23484:5,5 useful 23448:22 utterly 23468:6 U-turn 23373:1,3 23384:10,16,25 23386:5,7 23387:6,9 23398:17 23411:6</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>value 23409:22 various 23393:7 23449:12,12 23476:1 vegetation 23404:14,18 vehicles 23367:16,17 23368:5,19,20,21 23370:2,6,8,18,21 23371:12,22 23372:25 23383:5 23386:9 23388:5 23397:2,18 23398:8 23398:10 23399:16 23400:2 23411:8,14 23414:9,12,16 23417:8,11 23432:9 23436:13,16,19 23438:1,2 23445:4 23447:24 23448:1,6 23451:12 23452:24 23453:13,20,20 23455:23 23457:11 23459:11 23462:16 23464:25 23472:19 23475:9 23485:3,4 23497:21 veld 23409:3 verb 23356:11 verbal 23390:4 verification 23339:12 verified 23399:23 23488:15 23489:17 version 23416:24 23418:24 23423:23 23457:4 23462:22,23 23462:23,24 23463:1 23463:5,8 23464:13 23467:17 23468:4 23478:9 23479:2 23484:3 23488:3,6 23489:21</p>	<p>versions 23483:20 versus 23358:6 23426:5 vessels 23494:19 23495:1 vicinity 23432:9 23461:3 23477:6 23479:7 victim 23477:16 23479:18 23495:18 victims 23346:16,16 23385:23 23490:19 23491:2 video 23348:11,15 23349:3 23352:4,15 23417:15 23446:2,7 23447:25 23455:2 23488:19 23489:15 23489:22,23,25,25 23495:15,20,21,21,25 23496:3,6 23501:20 23502:1 view 23368:9 23397:16 23399:18,19 23402:15 23404:6,7 23404:19 23424:15 23425:5,8,11 23426:14 23452:15 23488:5 23491:3,10 visibility 23399:12,16 23399:24 visible 23363:4 23396:16 23398:11 23399:7 23419:18 23439:8 23440:2 vision 23389:20 23448:13 visit 23407:13 23429:6 Vodacom 23355:15 23357:16,25 23358:17,17,19,20,21 23359:7,8 23360:20 23364:7,11,15,17 23365:3,12 23366:14 23366:18,23 23367:1 23388:12,15,16 voice 23389:11 23426:21,22 23427:8 23457:21 voicemail 23355:13,15 23357:9 23388:20 volley 23355:22 23381:7,8,8 23383:25 23392:7 23449:18 23488:10 volumes 23467:25 volunteered 23434:25 Vusi 23464:4</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 23391:24 23395:5 waiting 23395:3 23407:1 walked 23470:21 wall 23389:19 23399:11,17 23404:7 want 23357:11</p>	<p>23359:19 23361:21 23366:19 23370:7 23371:11,20 23386:1 23387:7 23388:20 23390:23 23396:14 23396:17 23397:12 23397:15 23402:8,9 23406:3 23412:15 23424:24 23426:10 23426:12,13 23427:5 23434:20 23440:17 23468:15 23487:21 23490:17,22 23491:13,16 23492:15,16,19 23493:9 23495:12 23498:4 23501:15 wanted 23342:21 23387:4 23396:13 23411:14 23416:22 23420:19 23429:25 23435:15 23470:25 23500:2,5 wants 23339:25 23391:3 23500:20 warning 23481:12,13 23482:13 23483:12 23483:16,19 23493:9 Warrant 23463:25 23464:4,19 23475:15 23475:17 wasn't 23361:2 23369:1 23371:3 23422:4 23426:11,16 23433:14 23453:22 23463:22 23473:22 wasn't 23390:6 waste 23349:16 23369:17 23412:16 wasting 23371:5 watch 23501:25 water 23406:25 23455:12,18 23456:7 23456:17 way 23345:25 23349:15 23349:16 23352:7 23357:14 23372:24 23374:5 23380:16,17 23395:25 23396:21 23408:8,15,23 23411:15 23416:18 23420:25 23422:18 23433:6,11 23435:1,1 23445:9 23448:13 23452:5 23454:11 23460:1 23476:17,22 23477:1,3 ways 23415:13 weapons 23459:19 23462:7 23475:7 23482:19 weighs 23499:25 weight 23476:21 wellbeing 23406:23 went 23373:2 23388:19 23402:10 23408:12</p>
---	--	---	---	--

<p>23408:18 23414:7,9 23414:12 23416:4 23418:20,25 23420:1 23421:6 23427:19 23436:15,17 23438:19 23451:23 23451:23 23459:20 23465:18 23470:18 23480:22 23481:8 23485:18 23486:6,25 23488:3 weren't 23368:17 23469:23 23498:7 weren't 23408:15 23477:13 23481:9 west 23368:25 23370:18,22,24 23371:3 23425:24 23430:1 23455:14 23461:16 westerly 23418:3 western 23426:5 23431:5 23437:14 23445:5,6,7,11 we'd 23421:1 we'll 23340:16 23344:21 23346:11 23346:23 23349:14 23417:14,15 23418:13 23424:14 23442:16 23457:3,8 23470:3 23488:21 23495:20,23 we're 23345:8 23348:13 23349:5 23351:1 23352:6 23354:11,14 23357:18 23358:6,16 23359:16 23377:4 23384:6 23404:12 23424:17,18 23425:19 23433:12 23441:5 23448:24 23449:4 23450:1,3 23451:4,14 23452:4 23454:15 23458:19 23460:11 23472:6 23474:7 23478:4 23481:22 we've 23342:9 23351:22 23355:24 23375:19 23376:8 23378:1 23405:2,8 23422:13,24 23424:5 23424:18 23425:7 23462:1 23476:15 23482:5 23483:7 23487:8 23488:18 we'll 23375:7 23391:17 23394:17 23448:14 we're 23375:2,9 23446:7 we've 23396:5 23400:1 23448:10 whatsoever 23480:24 23489:6,10</p>	<p>what's 23343:14,15,15 23350:9 23376:11 23377:6 23386:20 23388:24 23404:11 23423:16 23424:4 23427:9 23428:3,14 23436:10 23451:8 23456:4,7 23485:22 23497:3 23499:1 whichever 23402:14 whilst 23367:22 23373:6 23417:2 23427:8 23434:11 white 23444:2 23456:17 wholly 23488:9 Widely 23425:9,10 willing 23371:8 wire 23366:12 23412:25 23436:2 wish 23343:22 23458:9 23493:20 wishes 23500:1 withdrawn 23358:11 witness 23343:7 23345:7 23371:14 23418:16 23427:18 23431:2 23432:3 23461:11 23466:21 23467:4,6,13 23468:18,19 23469:1 23469:6,24 23471:7,8 23471:13 23473:15 23474:6,10 23476:8 23478:5,5 23481:7,16 witnesses 23467:1,13 23468:9,11,16 23481:21 witnessing 23366:6 witness's 23371:17 23469:22 wonders 23500:20 won't 23426:3 23432:11 23460:24 word 23350:25 23362:8 23362:10 23390:3 23424:4 23483:25,25 23487:8 wording 23363:1 words 23380:20 23382:2 23412:8 23430:24 23437:4 23445:8 23479:12 23491:8,23 23494:14 23497:22 work 23354:11 23355:11 23426:21 23428:4 23434:15 23499:18 worked 23407:8 working 23404:12 23435:19 23464:9 23481:22 23497:5 worry 23391:23 worth 23486:11 wouldn't 23386:19</p>	<p>23404:6 23411:12 23426:21 23473:12 23497:9 wouldn't 23396:16 23398:11 would've 23355:17 23453:3 23486:22 would've 23351:17 23353:20 23356:10 23356:15 23403:10 23404:8,9 23411:11 wound 23494:4 23495:8,9,10 wounded 23485:25 23490:3,19 wounds 23450:9 23494:10 23495:11 write 23364:11 23366:19 23479:4 writing 23405:3 written 23406:14 23428:3 23455:5 wrong 23344:2 23347:24 23360:8 23381:21 23397:9 23403:2,3 23409:13 23416:7 23419:3,10 23419:15 23429:19 23429:25 23433:24 23435:1 23444:13 23449:2,7,16 23483:4 23483:4 23486:2,19 23486:22,24 23496:15 wrote 23394:9 W-E-L-A 23469:17</p> <p style="text-align: center;">Y</p> <p>year 23393:23 years 23350:5 23370:10 23393:5 23430:22 yellow 23414:17 23415:10 23416:6,25 23422:22 23423:21 23444:3 23445:4 23451:12 23455:24 23456:1 yesterday 23339:6 23345:9 23346:22 23409:25 23410:9,13 23456:23 23459:3 23478:15 you'd 23382:5 23383:12 23384:17 23384:18 23430:23 23432:13 23440:24 23441:20 23449:19 you'll 23346:25 23355:7 23358:7 23411:23 you're 23342:12,14 23343:6,7 23348:5 23349:10 23357:1 23375:14 23387:9 23403:5,16 23404:25</p>	<p>23405:12,19 23409:9 23409:21 23412:20 23431:8 23432:2 23433:17 23434:17 23435:1 23436:1 23441:1 23442:4 23448:17 23453:19 23461:19,20 23470:5 23481:4 23490:12 you've 23341:11 23342:11,17 23372:12 23403:5 23404:22 23409:3 23410:20 23418:18 23428:21 23429:8,9 23445:4 23451:3 23481:17</p> <p style="text-align: center;">Z</p> <p>zoom 23347:18 23349:6,8,14,24 23359:18 23361:2 23374:22,25 23375:16 23376:2 23396:9,10 23442:14 zoomed 23347:17 23377:2 23433:1,5 zooming 23374:24 zooms 23444:18</p> <p style="text-align: center;">0</p> <p>01 23358:6 09:23 23339:2 09:43 23349:20</p> <p style="text-align: center;">1</p> <p>10 23355:18,20,25 23356:4,24,25 23357:1,14,14 23358:20,21 23359:9 23360:20 23363:15 23363:21 23496:13 10:03 23362:16 10:22 23373:21 10:49 23375:12 100 23423:8,14 11 23352:6,9 23353:3 23353:11,15,17 23354:5 23355:21 11:06 23389:4 11:28 23403:3 11:30 23404:23 11:59 23405:7 119 23364:23 12 23355:13,14 23362:25 23365:7,20 23367:12 23407:1 23455:7,8 12:18 23417:25 12:38 23432:18 12:58 23445:14 13 23442:23 23450:9 23496:10 13.1 23442:24 23443:1 23443:8 13.2 23442:23,25</p>	<p>23443:8 23446:22 14 23442:23 23495:22 23496:8,9 14:00 23448:16 14:20 23460:1 14:40 23473:4 15 23357:24 23365:10 23365:13,16,22 23367:13 23446:1,5 23495:22 23496:8,9 15h00 23470:14 15.57.25 23449:17 15.58.05 23449:23 15:00 23485:18 15:15:45 23362:17 15:30 23464:9 23484:25 15:33 23490:12 15:37 23348:21 15:37:45 23353:19 15:40 23464:9 15:49:42 23364:8,8,13 23365:10 15:49:52 23360:10,12 23361:11 23363:17 23363:18 23364:3 15:49:54 23364:21 23365:9 23367:1 15:50 23401:13 15:51:17 23366:14 15:51:18 23401:4 15:51:47 23366:13 15:51:53 23365:12 23367:3 15:51:59 23366:18,19 23366:23 15:52 23403:15 15:52:08 23363:20 23364:8,9,13 23365:13 15:52:13 23365:16 15:52:18 23340:6,21 23341:5 23359:20,21 23360:15 23363:13 23364:3 23372:8 23376:24 23382:21 23401:14,19 15:52:29 23366:18,23 15:53 23377:12,13 23500:23 15:53:00 23372:10 23374:12 23401:21 15:53:10 23401:21 15:53:13 23388:12 15:53:20 23388:15 15:53:23 23372:11 23374:13 23375:1 23376:6 23377:13 23388:12 23396:11 23401:5 23403:15 23404:5 15:53:30 23388:14 23401:21 15:53:31 23355:16,16 23357:16 23358:5 23388:15</p>
--	--	---	--	--

<p>15:53:43 23374:16,16 15:53:48 23376:6 23388:18 23410:19 15:53:50 23388:13 15:54 23357:15,17 23410:19,25 15:54:00 23357:15 23358:6 15:56 23411:1 15:57 23348:21,23 23353:21 23354:2 15:57:25 23351:14 23352:25 23354:11 23354:21 23362:19 23429:11 15:57:34 23348:15,21 23352:4 23353:17 23354:5 15:57:45 23353:21 23354:6,23 23362:17 15:58:05 23429:16 23430:25 23434:16 23437:2 15:59 23363:15,23 15:59:52 23360:3,4 23363:13 1515 23366:7,8 16 23362:25 23475:1 16th 23340:5 23406:9 23406:12,19 23493:16 16-08-12 23464:7 16-08-2012 23391:11 16.02.05 23449:23 16.03.45 23451:2,3 16.06.30 23455:5 16/8/2012 23340:20 23341:5 16:02:05 23430:25 23431:11 23434:16 23441:14 16:02:25 23431:13,13 16:03:05 23436:9 23437:3 23441:14 23442:13 16:03:25 23443:6,7,14 23446:11,18,24 16:03:45 23445:22 23446:14,23 16:07:05 23436:9 23480:6,12 16:07:24 23477:20,21 23478:2,3,4 23479:10 23479:15 23480:11 16:08:05 23347:22 23495:23 23496:6 16:11:05 23348:3 16:12:35 23340:6,21 23341:5 23348:2 23363:1 23432:17 16:03:45 23446:12 17 23346:16,16 23474:24 23491:2 18 23499:8,8,9 19 23491:15,17 194.32 23495:16</p>	<p style="text-align: center;">2</p> <p>2 23346:13 23363:2,3 23366:5,9 23390:20 23431:15,16 23432:8 23432:10 23433:6 23444:1,4,6,7,9,10,10 23444:11,12,16 23445:18 23449:9 23450:18,25 23451:9 23451:14 23455:20 23455:21,22 23456:15 23463:7 23464:7 23465:10 23466:15 23477:7 23478:13,13 23479:20 23480:2,9 23485:9 23486:6,17 23492:4 23498:17,18 20 23352:5 23354:20,24 23358:18 23359:8 23364:3 23366:17 23393:2 23397:25 23443:21 23445:16 23445:18 23446:22 23447:1,4 23480:14 23480:16 23491:13 23496:14 2014 23339:1 23033 23389:21 24 23493:24,25 25 23385:25 23386:19 23397:2 25:49 23363:24 26 23339:1 29 23357:17 23358:1</p> <p style="text-align: center;">3</p> <p>3 23362:24 23384:19 23410:6 23431:18 23432:6,9 23437:22 23438:4,10 23444:6 23447:9 23448:1 23463:7 23465:11 23466:24 23467:17 23474:4 23479:8 23482:9 23487:20 30 23346:18 23353:25 23357:19 23358:1,2,2 23358:6,18 23359:7,9 23363:15 23374:19 23454:18,20,21 23455:4 23475:12,21 23491:8,13 300 23423:23,24 34 23348:24,25 35 23362:25 23449:23 23449:25 23450:2,4,9 23450:14,17,23,23 23492:1</p> <p style="text-align: center;">4</p> <p>4 23501:24 4x4 23384:21 4.10 23494:1 40 23346:8,18 23365:17</p>	<p>23455:7,8 23489:9 23491:8 23492:1 23496:16 42 23365:18 23366:1 43 23492:2 45 23353:23 23354:3,4 23446:15,16 23492:2 23496:10 49 23360:6,7 49:52 23360:11 494 23474:15</p> <p style="text-align: center;">5</p> <p>5 23446:6 5-0 23388:13 55 23443:16,19 23446:6 23449:17 23451:5,7 59 23489:8</p> <p style="text-align: center;">6</p> <p>6 23366:20,21 23412:21 23459:9 23461:23,23 6.15 23451:2 60 23480:18 600 23389:7 65 23352:5 23353:11 23423:1 66% 23423:19</p> <p style="text-align: center;">7</p> <p>7 23374:18 23461:19,22</p> <p style="text-align: center;">8</p> <p>8 23416:5 23460:15,16</p> <p style="text-align: center;">9</p> <p>9 23341:21 23496:16 23502:6 9B 23343:1 90% 23494:22</p>		
--	--	--	--	--