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 204 18 MARCH 2014 PAGES 25005 TO 25169



[©] 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



1			
1	Page 25005 [PROCEEDINGS ON 18 FEBRUARY 2014]	1	Page 25007 inaudible].
2	[09:13] CHAIRPERSON: The Commission resumes. Ms	2	MS BARNES: The general does not derogate
3	Barnes, I understand your learned leader has been called	3	from the specific. It's the same principle, and of course
4	away to higher business and you are going to deputise for	4	it applies –
5	him. Is that correct?	5	CHAIRPERSON: [Microphone off, inaudible]
6	MS BARNES: Yes, that's right, Chair.	6	MS BARNES: The case we'd like to refer
7	CHAIRPERSON: Let me just find your	7	the Commission to then is Sasol Synthetic Fuels (Pty)
8	heads. There's a very interesting article which I saw had	8	Limited & Others versus Lambert & Others, 2002 (2) SA 21
9	been referred to with approval in Australia, written by one	9	(SCA) –
10	our –	10	CHAIRPERSON: 2002?
11	MS BARNES: The article by Gilbert	11	MS BARNES: 2002 (2) SA 21 (SCA). The
12	Barcus, Chair?	12	relevant paragraph is at 291 to 30C, and the Court says the
13	CHAIRPERSON: One of your colleagues.	13	following, "When the legislature has given attention to a
14	MS BARNES: Yes. Yes, we have made	14	separate subject and made provision for it, the presumption
15	copies of that. You'll see that we refer to it in our	15	is that a subsequent general enactment is not intended to
16	heads. We've also made copies, Chair, of the three	16	interfere with the special provision unless it manifests
17	international cases that we refer to in our heads. Those I	17	that intention very clearly." So we submit that that is
18	believe have been made available to you early this morning.	18	the principle that applies in the matter at hand and it
19	CHAIRPERSON: Good.	19	determines that section 4 of the Commissions Act is the
20	MS BARNES: Chair, I will be –	20	applicable provision in this case.
21	CHAIRPERSON: Are you arguing from the	21	If I might turn then to the question of harm, and
22	heads? Are there passages in the heads from which – the	22	here, Chair, we endorse the submissions that were made
23	international section for example is dealt with on page 14,	23	yesterday by Mr Brickhill that the SAPS bears the onus in
24	paragraphs 43 and following, but I'm not sure which	24	this application to establish that there's a reasonable
25	portions of the heads you're going to be referring to	25	possibility of harm occurring to Mr X, and of course that
	Page 25006		Page 25008
1	because if your going to say things that aren't in the	1	there's a causal connection between the act of testifying
2	heads I'll have to write them down. That's –	2	in the open Commission and the possibility of harm. It
3	MS BARNES: Yes, Chair, what I propose to	3	does not, there's no onus on the opposing parties in that
4	do is deal essentially with section D of our heads of	4	regard. It is not our onus to discharge. It –
5	argument, which is the section that has not yet been dealt	5	CHAIRPERSON: I doubt whether the SAPS
6	with. That is the section in which we make the argument	6	would contend the contrary. I mean they accept, they're
7	that the Commission ought not to exercise its discretion in	7	asking us to make an order in their favour and they must
8	favour of granting the SAPS application, assuming that the	8	justify it. I didn't detect any suggestion that you must
9	Commission has the powers to do so, which of course we	9	show why I shouldn't make the order. That's right, Mr
10 11	deny. CHAIRPERSON: Yes, page 11 and following.	10	Semenya, isn't it?
11 12	CHAIRPERSON: Yes, page 11 and following. MS BARNES: That's right, Chair, but	11 12	MS BARNES: Yes, we simply make the point in relation to the in response to the evidence leaders'
112	-	12 13	in relation to the, in response to the evidence leaders' submission that the opposing parties allegedly did not
	before I deal with that in some detail if I might just at		
13	before I deal with that in some detail, if I might just at the outset just do two things, firstly just refer the		
13 14	the outset just do two things, firstly just refer the	14	dispute the fact that there was a possibility of harm.
13 14 15	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then	14 15	dispute the fact that there was a possibility of harm. So –
13 14 15 16	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the	14 15 16	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course
13 14 15	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues.	14 15	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an
13 14 15 16 17	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the	14 15 16 17	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be
13 14 15 16 17 18	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the	14 15 16 17 18	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be accepted that you don't quarrel with the contention that
 13 14 15 16 17 18 19 	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the Commission to, it would slot in on page 7, paragraph 19 of	14 15 16 17 18 19	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be
13 14 15 16 17 18 19 20	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the Commission to, it would slot in on page 7, paragraph 19 of our heads. That's where we deal with the principle of	14 15 16 17 18 19 20	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be accepted that you don't quarrel with the contention that there would be some harm, but that's not an onus point,
 13 14 15 16 17 18 19 20 21 	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the Commission to, it would slot in on page 7, paragraph 19 of our heads. That's where we deal with the principle of statutory interpretation, which we say applies in this	14 15 16 17 18 19 20 21	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be accepted that you don't quarrel with the contention that there would be some harm, but that's not an onus point, that's something different.
 13 14 15 16 17 18 19 20 21 22 	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the Commission to, it would slot in on page 7, paragraph 19 of our heads. That's where we deal with the principle of statutory interpretation, which we say applies in this case. We point out, Chair, that the principle is also	14 15 16 17 18 19 20 21 22	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be accepted that you don't quarrel with the contention that there would be some harm, but that's not an onus point, that's something different. MS BARNES: Well Chair, we have disputed
 13 14 15 16 17 18 19 20 21 22 23 	the outset just do two things, firstly just refer the Commission to an authority on the powers question and then secondly if I could just make one point in relation to the harm question that has not yet been made by my colleagues. So the authority that I'd like to refer the Commission to, it would slot in on page 7, paragraph 19 of our heads. That's where we deal with the principle of statutory interpretation, which we say applies in this case. We point out, Chair, that the principle is also sometimes referred to as generalia specialibus non	 14 15 16 17 18 19 20 21 22 23 	dispute the fact that there was a possibility of harm. So – CHAIRPERSON: Yes, well, that of course is a different proposition. That doesn't mean you bear an onus, but if in fact you don't dispute it then it could be accepted that you don't quarrel with the contention that there would be some harm, but that's not an onus point, that's something different. MS BARNES: Well Chair, we have disputed it. Mr Brickhill made that point yesterday as well, so I

	5		
1	Page 25009 regard.	1	Page 25011 the person's is only slightly pregnant. I mean, you know,
2	Chair, if I might then turn to, well draw	2	you're pregnant or not pregnant. Now something is
3	specific attention on the question of, this question of the	3	necessary or it isn't necessary, but the Australians, and I
4	harm to paragraphs 29 to 31 of our heads of argument.	4	think the English references in the judgment seem to think
5	Chair, we quote in paragraph 29 of our heads – it's on page	5	there are standards of necessity and that may be right, but
6	10 – we quote from the replying affidavit filed by Mr	6	I've got to get my mind around that. Perhaps you can help
7	Pretorius on behalf of SAPS, which says the following, "I	7	me.
	put it no higher than it is a reasonable apprehension for	7 8	
8	one such as Mr X, or members of his family, that harm may	9	MS BARNES: Well, Chair, we do refer in our heads on page 9, paragraph 26, to the Scott case and
9	befall them if the limited protection sought in terms of	9 10	the Scott case deals with this standard of necessity in
10 11	the application is not granted." So that is the allegation	11	this context and –
12	that is made. We note that the allegation is made for one	12	CHAIRPERSON: That's a case that's often
13	such as Mr X, not even specifically in relation to Mr X	12	been cited with approval in South Africa.
14	himself.	14	
15		14	
	We make the further point in paragraph 30 of our	16	this particular passage, which I'll refer to now, was cited
16	heads that says no direct evidence from Mr X himself as to the fear that he allegedly harbours. There's also no	10	with approval by Ackerman in the S versus Leepile case. I believe that was number 4.
17 18	detail provided in the application at all as to the basis	17	CHAIRPERSON: He was referred to - I'm
19	of such fear as is allegedly harboured, and without that	19	sure he would have found it himself even if we hadn't
20	the causal connection that is required we submit has simply	20	referred him to it.
20	not been established.	20	MS BARNES: Chair, the Scott versus Scott
22	And then, Chair, on the question of harm we	22	reference, page 9, paragraph 26 of our heads is, or if I
22	submit with respect that in addition to the test which I	22	might start here, "The burden lies on those seeking to
23	think was essentially agreed upon yesterday, the test set	23	displace its application, that is the application of
24	out in S versus Leepile, there's another important but	24	publicity in the particular case to make out that the
20		20	
	Page 25010		Page 25012
1	related, or important and related standard that applies and	1	ordinary rule must of necessity be superseded by this
2	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in	1 2	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one
	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the		ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can
2	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted	2	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion
2 3	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient.	2 3	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one
2 3 4	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the	2 3 4	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on
2 3 4 5	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was	2 3 4 5	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted
2 3 4 5 6 7 8	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the	2 3 4 5 6 7 8	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts.
2 3 4 5 6 7 8 9	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment	2 3 4 5 6 7 8 9	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law,
2 3 4 5 6 7 8 9 10	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one	2 3 4 5 6 7 8 9 10	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that -
2 3 4 5 6 7 8 9 10 11	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the	2 3 4 5 6 7 8 9 10 11	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you.
2 3 4 5 6 7 8 9 10 11 12	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as	2 3 4 5 6 7 8 9 10 11 12	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the
2 3 4 5 6 7 8 9 10 11 12 13	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or	2 3 4 5 6 7 8 9 10 11 12 13	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred?
2 3 4 5 6 7 8 9 10 11 12 13 14	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as	2 3 4 5 6 7 8 9 10 11 12 13 14	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on –
2 3 4 5 6 7 8 9 10 11 12 13 14 15	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may	2 3 4 5 6 7 8 9 10 11 12 13 14 15	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish to bring to my attention -	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of Criminal Appeal in the New South Wales, BUSB versus The
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish to bring to my attention - MS BARNES: Yes –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of Criminal Appeal in the New South Wales, BUSB versus The Queen and at page 10 of the – it's a report downloaded from
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish to bring to my attention - MS BARNES: Yes – CHAIRPERSON: - of relevance with regard	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of Criminal Appeal in the New South Wales, BUSB versus The Queen and at page 10 of 19 there's a section on the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish to bring to my attention - MS BARNES: Yes – CHAIRPERSON: - of relevance with regard to the standard of necessity. I have a bit of conceptual	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of Criminal Appeal in the New South Wales, BUSB versus The Queen and at page 10 of 19 there's a section on the implied power, the concept of necessity, and so forth, and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	related, or important and related standard that applies and it's the standard of necessity. It's the principle that in an application such as this relief which infringes upon the publicity of proceedings such as this can only be granted if it is necessary, not merely convenient. CHAIRPERSON: That is dealt with in the Australian case, the BUSB case to which my attention was drawn. There's some quite interesting dicta by the Australian judges on that point, going back to a judgment of Chief Baron Pollock in the 19th century I think, but one of the problems of course that you would have is the enabling section as far as, or empowering section as far as in-camera aspects of the matter talks about necessary or desirable, so that I'm not sure that, certainly as far as the in-camera part is concerned, I understand that you may want to argue the video link is on a different basis, but certainly the in-camera part, there the test in the Commissions Act is simply desirability. I wasn't saying that by way of endeavouring to bring this debate to an end. I mean are there authorities or particular aspects you wish to bring to my attention - MS BARNES: Yes – CHAIRPERSON: - of relevance with regard	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	ordinary rule must of necessity be superseded by this paramount consideration. The question is by no means one which consistently with the spirit of our jurisprudence can be dealt with by judges as resting in his mere discretion as to what is expedient. The latter must treat it as one of principle and as turning not on convenience but on necessity." As we have said, Chair, that's been quoted with approval in our courts. We also refer, Chair, to the international law, and I'll come to that - CHAIRPERSON: I'm sorry to interrupt you. Just before you move on, were you given a copy of the judgment in the BUSB case to which Ms Pillay referred? Well, on – MS BARNES: We were not, Chair. CHAIRPERSON: Well then in order to enable you to help me I'd better lend you my copy, but what she gave me was a bundle with a number of Australian cases from the High Court which are referred to in the BUSB case and at the end of the bundle is a judgment of the Court of Criminal Appeal in the New South Wales, BUSB versus The Queen and at page 10 of 19 there's a section on the

Pretoria

1	Page 25013 the Pelechowski case, which is one of the leading cases in	1	Page 25015 section would have been prior to 1996, presumably '94 - as
	the High Court of Australia, where reference is made to a	2	far as I can remember there was an equivalent provision in
2	judgment – oh no, you've got mine – the Attorney-General, I	2	the interim constitution - one is obliged to interpret it
4	must give you an opportunity to find the page. Mr Gotz	4	afresh in the light of the Constitution, and you're not
5	will act as your junior for these purposes. At the end is	5	interested so much in what was the intention of the
6	the BUSB case. You'll find BUSB in the top left-hand	6	legislature in 1947, but interpreting it through, as has
7	corner, indicating what you're looking for, and at page 10	7	been put, through the prism of the Constitution, and I
8	of 19. Now you'll see on that page there are a number of	, 8	think section 39(2) applies. That's the point Ms Pillay
9	numbered paragraphs and in part of paragraph 30 is a	9	made and I doubt very much if the SAPS will contend to the
10	quotation from the Pelechowski case, "The term necessary in	10	contrary. So you're obviously on common ground as it were
11	such a setting as this is to be understood in the sense	11	in regard to this submission. So you say the
12	given it by Pollock CB in Attorney-General versus Walker,	12	interpretation must be in accordance with our common law
13	namely as identifying a power to make orders which are	13	and especially, I take it, the Constitution.
14	reasonably required or legally ancillary to the	14	MS BARNES: Indeed, Chair. Section 34 we
15	accomplishment of the specific remedies for enforcement	15	would submit demands it, demands that a restrictive
16	provided in Division 4 of Part 3 of the District Court Act.	16	interpretation be given to section 4 of the Commissions
17	In this setting the term 'necessary' does not have the	17	Act. That would require necessity and not merely
18	meaning of essential. Rather it is to be subjected to the	18	desirability. And then –
19	touchstone of reasonableness."	19	CHAIRPERSON: It's difficult to interpret
20	And then the dictum by, I think that's the	20	a statute by effectively deleting two words, which is what
21	Australian way of putting it, the dictum by Pollock CB is	21	you're arguing for. The more sophisticated argument, and
22	then given in para 31. "The word 'necessary' does not mean	22	I'm not being unkind when I put it to you but is really
23	absolutely necessary but reasonably necessary with	23	that I haven't got the power to strike out those words, but
24	reference to circumstances of the case," and then in 32	24	another court - a court, not another court, a court might
25	there's a passage from which I think you may derive some	25	do that if this case were taken further, and it will be
	Dama 25014		Dore 2001/
1	Page 25014 comfort, "However, a test of necessity cannot be stretched	1	Page 25016 sensible for me to bear that in mind in exercising a
2	to encompass what is merely desirable or useful," and then	2	discretion I have or deciding whether I should exercise the
3	it goes on.	3	discretion, and that's really what you're saying, isn't it?
4	Anyway, that's the passage which I think is	4	MS BARNES: Indeed, that is precisely our
5	relevant for you to deal with. I know it's a bit unfair	5	submission, Chair.
6	because you've just seen it the first time now. You were	6	CHAIRPERSON: Because I mean I can't
7	going to deal with the topic, so hopefully you can assist	7	interpret it by saying I interpret it by cutting out the
8	me in this regard.	8	words "or desire," because that with respect is -
9	MS BARNES: Yes, thank you, Chair. We	9	MS BARNES: No, Chair –
10	would make two submissions. The first is that our law has	10	CHAIRPERSON: - the kind of argument that
11	in Leepile endorsed the necessity requirement as set out in	11	might have commended itself to Lewis Carroll, but it
12	Scott. The second is that given that section 34 of the	12	doesn't commend itself to -
13	Constitution is implicated in this matter it clearly	13	MS BARNES: Chair, I wasn't with respect
14	applies to Commissions generally. It applies to the	14	suggesting that any word be struck out or anything like
15	Marikana Commission specifically, and given that the relief	15	that. I was simply suggesting that, or submitting that the
16	sought by SAPS infringes on what is guaranteed in terms of	16	section should be interpreted in a manner that would accord
17	that section, the section 4 of the Commissions Act must be	17	with section 34 of the Constitution.
18	restrictively interpreted to, in a manner where the	18	So Chair, we would submit that –
19	standard is one of necessity and not merely one of	19	CHAIRPERSON: Sorry, sorry, forgive me
20	desirability.	20	for a moment, my attention is being drawn to something.
21	So we would submit that such an interpretation	21	Yes, please proceed. My attention has been drawn to a
22	would be in accordance with our common law, and would also	22	point that I should put to the representative of SAPS when
23	give effect to the Bill of Rights in our Constitution.	23	they reply.
24	CHAIRPERSON: I thought Ms Pillay made a	24 25	MS BARNES: So Chair, we would submit
25	valid point there, that whatever the interpretation of that	25	that insofar as the SAPS deal in their application with
	RCHIVE FOR JUSTICE		

		l	
	Page 25017		Page 25019
1	questions of the cost and the difficulty of securing Mr X's	1	that Wigmore gives for requiring publicity, we refer to
2	presence at this venue, and that those are considerations	2	those in paragraph 22 of our heads, if I might just refer
3	of convenience and not of necessity, and so we would submit	3	to that. That's page 8. Wigmore gives three further
4	that –	4	reasons for requiring publicity, first, "All those involved
5	CHAIRPERSON: [Microphone off, inaudible]	5	in the administration of justice are moved to a strict
6	MS BARNES: And accordingly, Chair, we	6	conscientiousness in the performance of duty when acting
7	would submit that those factors are not strictly relevant	7	under the public gaze, since in all experience secret
8	or germane to the determination that the Commission has to	8	tribunals have exhibited abuses which have been wanting in
9	make.	9	courts whose procedure was public." Secondly –
10	[09:32] So we would submit then that the SAPS have failed	10	CHAIRPERSON: [Microphone off, inaudible]
11	to make out a case on two scores in terms of both the	11	I'm not sure that that's a factor which operates very
12	standards that they're required to meet, the first being	12	powerfully here because what is envisaged is the press, who
13	that they need to show a reasonable possibility of harm and	13	in a sense are the representatives of the public, would be
14	a causal connection between testifying in this Commission	14	here. I don't know whether the proceedings will be
15	in the ordinary course and that harm, that's the first	15	televised. They used to be on YouTube but presumably it
16	standard that they failed to meet, and the second standard	16	was thought that it wasn't necessary anymore, there were
17	we submit that they failed to meet is that of necessity.	17	better things to exhibit on YouTube so we're not on YouTube
18	If I might then, Chair, move to deal with section	18	anymore, but they may well be televised. But anyway, the
19	D of our heads of argument, and here, Chair, we submit that	19	press would be here and so any temptation I might have to
20	on the assumption that the Commission does in fact have the	20	misbehave is likely to be counteracted by the presence of
21	power to grant the relief sought there are a number of	21	the police and the practitioners and everybody else, so I
22	separate considerations that militate against the granting	22	understand if this is like the star chamber, a totally
23	of that relief. One of those, Chair, relates of course to	23	closed room and no-one knows what's going on, people go in
24	section 34 of the Constitution itself and in that regard we	24	as accused and come out as convicted people, that will be
25	endorse fully the submissions that have been made by Mr	25	different. I don't know that this factor, with respect,
	Page 25018		Page 25020
1	Brickhill.	1	carries much weight [collabora disturbance]
_		1	carries much weight [cellphone disturbance].
2	We deal in our heads with three remaining sets of	2	Now I'm going to give the person concerned five
2 3	We deal in our heads with three remaining sets of considerations, certain common law principles that are		
	-	2	Now I'm going to give the person concerned five
3	considerations, certain common law principles that are	2 3	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask
3 4	considerations, certain common law principles that are applicable, with the rights that both the victims and the	2 3 4	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's
3 4 5	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this	2 3 4 5	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was
3 4 5 6	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international	2 3 4 5 6	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do.
3 4 5 6 7	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that	2 3 4 5 6 7	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit
3 4 5 6 7 8	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by	2 3 4 5 6 7 8	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in
3 4 5 6 7 8 9	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no	2 3 4 5 6 7 8 9	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't
3 4 5 6 7 8 9 10	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law.	2 3 4 5 6 7 8 9 10	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that
3 4 5 6 7 8 9 10 11	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12	2 3 4 5 6 7 8 9 10 11	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case –
3 4 5 6 7 8 9 10 11 12	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission	2 3 4 5 6 7 8 9 10 11 12	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you.
3 4 5 6 7 8 9 10 11 12 13	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely	2 3 4 5 6 7 8 9 10 11 12 13	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably
3 4 5 6 7 8 9 10 11 12 13 14	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from	2 3 4 5 6 7 8 9 10 11 12 13 14	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand
3 4 5 6 7 8 9 10 11 12 13 14 15	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly
3 4 5 6 7 8 9 10 11 12 13 14 15 16	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say,
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that the Chair referred to yesterday and quoted Wigmore in that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times. MS BARNES: And perhaps the second two
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that the Chair referred to yesterday and quoted Wigmore in that regard. We in fact refer to the same quote from Wigmore in	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times. MS BARNES: And perhaps the second two factors given by Wigmore over the page at the top of page 9
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that the Chair referred to yesterday and quoted Wigmore in that regard. We in fact refer to the same quote from Wigmore in our heads. That appears a little bit earlier on in our	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times. MS BARNES: And perhaps the second two factors given by Wigmore over the page at the top of page 9 are perhaps more compelling in the circumstances of this
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that the Chair referred to yesterday and quoted Wigmore in that regard. We in fact refer to the same quote from Wigmore in our heads. That appears a little bit earlier on in our heads on page 8, paragraph 21, and that's really the point	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times. MS BARNES: And perhaps the second two factors given by Wigmore over the page at the top of page 9 are perhaps more compelling in the circumstances of this case. This is that persons actually, or factor 2 that he
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	considerations, certain common law principles that are applicable, with the rights that both the victims and the community have in relation to the proceedings of this Commission, and then finally we deal with international law. There of course we say, Chair, simply that international law may be used as an interpretive guide by this Commission in exercising its discretion. We say no more than that in relation to the international law. We deal with the common law principles on page 12 from paragraph 35 of our heads and really our submission under this heading is that there are a number of extremely important advantages that are recognised to flow from proceedings being held both in public and from witnesses appearing in person. One of those advantages is the truthfulness and completeness of evidence itself, and that is a factor that the Chair referred to yesterday and quoted Wigmore in that regard. We in fact refer to the same quote from Wigmore in our heads. That appears a little bit earlier on in our heads on page 8, paragraph 21, and that's really the point that the publicity of proceedings tends to enhance the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Now I'm going to give the person concerned five seconds to turn that thing off, otherwise I'm going to ask him to leave. Alright, let's carry on. Let's hope it's been turned off so I don't have to do what I was threatening to do. MS BARNES: Yes, Chair, we merely submit that that's a general factor, a factor in general terms in favour of publicity, but not that there would be – we don't suggest that there would be a particular risk in that regard in this case – CHAIRPERSON: I'm sorry to interrupt you. There would be a measure of publicity which would probably be adequate enough to achieve that purpose. I understand the other points you make, which are on a slightly different footing. But anyway, it is a factor, as you say, a general factor which one should bear in mind at all times. MS BARNES: And perhaps the second two factors given by Wigmore over the page at the top of page 9 are perhaps more compelling in the circumstances of this case. This is that persons actually, or factor 2 that he gives, "Persons actually or potentially affected by

	Page 25021		Page 25023
1	secures a strong confidence in judicial remedies which	1	Say.
2	could never be inspired by a system of secrecy." So those	2	MS BARNES: Well Chair, the reason we
3	are the general advantages to publicity which must be taken	3	raise it, with respect, is that some of us who have been
4	account of, we submit.	4	involved in matters in the past that have involved cross-
5	We also quote Wigmore when we deal with the	5	examining via video link have found it to be entirely
6	matter of the witness appearing in person. That we deal	6	unsatisfactory. It has been a lot like a bad Skype
7	with on page 13, paragraph 37 of our heads, and Wigmore	7	connection where one has a small image of the witness,
8	describes this in the following terms, he says, "The main	8	which is rather fuzzy, and that's all that one has to deal
9	and essential purpose of confrontation is to secure for the	9	with. So I'm not sure what –
10	opponent the opportunity of cross-examination. The	10	CHAIRPERSON: Are we going to have a
11	opponent demands confrontation not for the idle purpose of	11	small photo image in this case, Mr Semenya?
12	gazing upon the witness or of being gazed upon by him, but	12	MR SEMENYA SC: Crystal clear, I'm told,
13	for the purpose of cross-examination which cannot be had	13	Chair.
14	except by the direct and personal putting of questions and	14	CHAIRPERSON: Fairly big? Larger than
15	obtaining of immediate answers."	15	life-size?
16	CHAIRPERSON: But wouldn't that happen	16	MR SEMENYA SC: Larger than life-size,
17	here? If he was at some other venue but we could see him	17	Chair. It will be on the screen.
18	on the screen and counsel here sees him, asks him a	18	CHAIRPERSON: Well, if that doesn't
19	question and gets, asks the question directly and	19	happen you can – if I grant the order, and I still haven't
20	personally, not through an intermediary or anything of that kind, and immediate answers are obtained, the witness	20	made up my mind, I have to consider everything, but if I do
21 22	doesn't get an opportunity to go away and get coaching from	21 22	you obviously have the right to come again and complain if the quality of the picture was such that there was a
22	someone on what the answer should be, so surely that	22	serious disadvantage. But anyway, if of course you succeed
23	purpose will be achieved. It's not intended by the police	23	in your contention that the order shouldn't be granted then
25	to ask us to abandon that particular safeguard. That must	25	that point won't arise.
		20	
	Page 25022		Down OFOOT
1 4		1	Page 25024
1	be so surely?	1	MS BARNES: Yes. Yes, thank you, Chair.
2	be so surely? MS BARNES: Well, Chair, I think there	2	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a
2 3	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange	2 3	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination
2 3 4	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial	2 3 4	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a
2 3 4 5	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one	2 3 4 5	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video
2 3 4 5 6	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium.	2 3 4 5 6	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be
2 3 4 5	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we	2 3 4 5	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious
2 3 4 5 6 7	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium.	2 3 4 5 6 7	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be
2 3 4 5 6 7 8	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say	2 3 4 5 6 7 8	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the
2 3 4 5 6 7 8 9	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to	2 3 4 5 6 7 8 9	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past.
2 3 4 5 6 7 8 9 10	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour –	2 3 4 5 6 7 8 9 10	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in
2 3 4 5 6 7 8 9 10 11	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you	2 3 4 5 6 7 8 9 10 11	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our
2 3 4 5 6 7 8 9 10 11 12	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not	2 3 4 5 6 7 8 9 10 11 12	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we
2 3 4 5 6 7 8 9 10 11 12 13	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would	2 3 4 5 6 7 8 9 10 11 12 13	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have
2 3 4 5 6 7 8 9 10 11 12 13 14	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or	2 3 4 5 6 7 8 9 10 11 12 13 14	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a Skype connection we're	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a skype connection. I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations fully and effectively through their lawyers –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a Skype connection. I mean sometimes you can see the expressions of sportsmen far	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations fully and effectively through their lawyers – CHAIRPERSON: The families for whom you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a Skype connection we're going to have. This is going to be a video connection. I mean sometimes you can see the expressions of sportsmen far better on a TV screen than you can from the stands or even	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations fully and effectively through their lawyers – CHAIRPERSON: The families for whom you appear might be in a slightly weaker position as far as
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a Skype connection. I mean sometimes you can see the expressions of sportsmen far better on a TV screen than you can from the stands or even the front row at a sports stadium. You know, the camera is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations fully and effectively through their lawyers – CHAIRPERSON: The families for whom you appear might be in a slightly weaker position as far as that's concerned because the allegations aren't against
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	be so surely? MS BARNES: Well, Chair, I think there are two responses to that. The first is that the exchange is not as direct as it would be in a live adversarial exchange. It is muted to some extent by the fact that one is dealing with a witness through an electronic medium. The other point, Chair, relates to the concern we raise about demeanour, and the reason we raise this, we say that using this mechanism will make it very difficult to assess the witness's demeanour – CHAIRPERSON: But is that so? If you engage in a Skype conversation with somebody can you not assess the, say a relative overseas who is talking to you on Skype, can't you see the person's demeanour on Skype? MS BARNES: It's very difficult, we would submit, to assess demeanour over a bad Skype connection, or even an average Skype connection, we would submit, which – CHAIRPERSON: Well, I don't think it's suggested that this is going to be a Skype connection we're going to have. This is going to be a video connection. I mean sometimes you can see the expressions of sportsmen far better on a TV screen than you can from the stands or even	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MS BARNES: Yes. Yes, thank you, Chair. So it's a practical concern that we raise and so there's a principled concern in relation to the cross-examination being indirect by virtue of the medium, but there's also a practical consideration that we raise in relation to video links. Perhaps as the Chair has indicated, SAPS might be able to obviate that, but we do raise it as a serious practical concern that some of us have experienced in the past. Chair, that deals then with our submission in relation to the common law. We then deal on page 14 of our heads from paragraph 41 with the question of rights and we make the point that the parties in this Commission have rights, particularly where they have been implicated in the evidence of Mr X it's quite clear that all the parties on whose behalf these heads have been filed, the injured and arrested persons, the families and AMCU are implicated in the evidence of Mr X. We submit that they accordingly are entitled to face him and to challenge those accusations fully and effectively through their lawyers – CHAIRPERSON: The families for whom you appear might be in a slightly weaker position as far as

Pretoria

1	Page 25025 point of view they would wish to see the evidence being	1	Page 25027 It doesn't deal with commissions as far as I can see. I
1 2	given, but still their position isn't as strong as some of	2	understand the argument that based on the Du Preez case
2	the injured and arrested persons who might be personally	3	which I remember well because the judgment I was a party to
4	implicated, and as Mr Mathunjwa who apparently is going to	4	was overturned in that case, but the – although not on that
4 5	be, as far as we see from the latest statement is also	5	point, but we've got South African authority applying the
	going to be directly accused of having been present, having	6	open court publicity principle to commissions. All I'm
6	encouraged the strikers on the night before the killings.	7	
7 8		8	saying to you is it seems the European Convention doesn't
о 9		0 9	go that far and the passage you quote deals with the
9 10	There may of course though still be a reputational impact on the family as a whole.	10	situation in litigation, civil or criminal. MS BARNES: It does deal with litigation,
10	CHAIRPERSON: I understand they have an	11	MS BARNES: It does deal with litigation, Chair, but we would submit that regard may still be had to
12	interest. I can understand the reputational aspect of it	12	these clauses in these international instruments and the
		13	way that they deal with the requirement of publicity.
13	mustn't be made light of, but all I'm saying to you is the	13	
14 15	other people are in a stronger position perhaps because they will be directly involved and there will be	14	CHAIRPERSON: I see you very kindly provided me with copies of the judgments of the European
	5	16	Court, is it? The Strasbourg Court, I take it.
16 17	allegations against them. In the case of Mr Mathunjwa	17	MS BARNES: We do. We have provided
17	obviously I take it not of criminal conduct, but certainly of questionable behaviour, to put it gently.	18	copies. Chair, we set out the principles that have emerged
19	MS BARNES: Yes, we take that point,	19	through those cases on page 16 of our heads. If I might
20	Chair. Chair, then in paragraph 42 of our heads we make	20	just provide a reference in paragraph 45.3 of our heads
20	the point that – and I don't think it's a controversial	20	which is missing, the reference there should be to the case
22	point –	22	of Kostovski at paragraph 42 –
23	CHAIRPERSON: I'm sorry, I said you were	23	CHAIRPERSON: That is a case also cited
24	appearing for the families. You're sort of appearing on	24	in footnote 16, but there you refer to paragraph 41, this
25	behalf of the families amongst others at the moment, but	25	is now 42. So I'll just write Kostovski para – have you
	5		, , , , , , , , , , , , , , , , , , ,
	Page 25026		Page 25028
1	your client is actually AMCU.	1	given copies of these judgments to your learned friends for
2	your client is actually AMCU. MS BARNES: Yes.	2	given copies of these judgments to your learned friends for SAPS?
2 3	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly	2 3	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes.
2 3 4	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern.	2 3 4	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll
2 3 4 5	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct,	2 3 4 5	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they
2 3 4 5 6	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the	2 3 4 5 6	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us.
2 3 4 5 6 7	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't	2 3 4 5 6 7	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next
2 3 4 5 6 7 8	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of	2 3 4 5 6 7 8	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference
2 3 4 5 6 7 8 9	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a	2 3 4 5 6 7 8 9	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first
2 3 4 5 6 7 8 9 10	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in	2 3 4 5 6 7 8 9 10	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the
2 3 4 5 6 7 8 9 10 11	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent	2 3 4 5 6 7 8 9 10 11	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided –
2 3 4 5 6 7 8 9 10 11 12	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter.	2 3 4 5 6 7 8 9 10 11 12	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible]
2 3 4 5 6 7 8 9 10 11 12 13	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible]	2 3 4 5 6 7 8 9 10 11 12 13	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to –
2 3 4 5 6 7 8 9 10 11 12 13 14	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which	2 3 4 5 6 7 8 9 10 11 12 13 14	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We also make the point that the requirement of publicity and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We also make the point that the requirement of publicity and the circumstances in which publicity can be limited	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is – MS BARNES: That is already referred to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We also make the point that the requirement of publicity and the circumstances in which publicity can be limited provisionally –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is – MS BARNES: That is already referred to at paragraphs 52 to 55, and the principles, we simply seek
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We also make the point that the requirement of publicity and the circumstances in which publicity can be limited provisionally – CHAIRPERSON: [Microphone off, inaudible]	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is already referred to at paragraphs 52 to 55, and the principles, we simply seek to emphasise two principles that emerge from this case law.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	your client is actually AMCU. MS BARNES: Yes. CHAIRPERSON: So Mr Mathunjwa is directly in your area of concern. MS BARNES: Yes, that's quite correct, Chair. So in paragraph 42 of our heads, Chair, we make the point that it has been recognised in our law – and I don't think this can be controversial – that the whole process of a commission of inquiry is potentially prejudicial to a person's rights and we cite authorities in that regard in footnote 14 of our heads. One of those is the recent judgment in the Magidiwana matter. CHAIRPERSON: [Microphone off, inaudible] a judgment of the Appeal Court which isn't on appeal, which stands as the law of South Africa. MS BARNES: Yes. Chair, then finally we draw attention to some international law in the last section of our heads of argument and we refer there to article 6 of the European Convention on Human Rights. We also make the point that the requirement of publicity and the circumstances in which publicity can be limited provisionally – CHAIRPERSON: [Microphone off, inaudible] interrupt you. Section 6 of the European Convention	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	given copies of these judgments to your learned friends for SAPS? MS BARNES: I believe we have, yes. CHAIRPERSON: I see, alright. So they'll be able to answer on these points if they have answers they wish to give us. MS BARNES: Chair, then in the next paragraph, that's 45.4, I also need to give you a reference there. There are in fact two references there. The first is to Doorson versus The Netherlands, that is one of the judgments that has been provided – CHAIRPERSON: [Microphone off, inaudible] MS BARNES: It's not referred to – CHAIRPERSON: How do you spell Doorson? MS BARNES: It's D-O-O-R-S-O-N. CHAIRPERSON: Doorson, what's the reference? MS BARNES: The reference is paragraphs 70 and 72 and then also the Van Michelin case – CHAIRPERSON: That is – MS BARNES: That is already referred to at paragraphs 52 to 55, and the principles, we simply seek to emphasise two principles that emerge from this case law. The one is a clear reluctance to make orders of anonymity

	Page 25029		Page 25031
1	limitations are to be imposed on publicity they must be	1	opportunity to interview her at any stage.
2	strictly necessary and we submit that those are the	2	MR BUDLENDER SC: No, Chair, we will do,
3	principles that emerge from the case law and that it's	3	we will do so.
4	instructive to have regard to them in the circumstances.	4	CHAIRPERSON: You will. So insofar as
5	So Chair, we would submit that the considerations	5	the evidence leaders are here to see to it that all
6	militating against the grant of the relief sought by SAPS	6	material that is relevant and necessary for our decision,
7	are the following. Section 34 of the Constitution, the	7	and desirable, to use another word, will be put before us.
8	applicable common law principles in relation to publicity	, 8	You're prepared to interview her and insofar as there's any
9	and full and effective cross-examination of witnesses, the	9	point she wishes to have conveyed, you're prepared to
10	rights that the parties have in this case, and then finally	10	convey it on her behalf?
11	we would submit that in exercising its discretion the	11	MR BUDLENDER SC: We'll certainly do so,
12	Commission may have regard to the principles that have	12	Chair.
13	emerged from international law, which we submit support our	13	CHAIRPERSON: Mr Mpofu, would you do your
14	position. Those are our submissions, Chair.	14	best in your Xhosa to interpret that to her?
15	CHAIRPERSON: Thank you, Ms Barnes.	15	MR MPOFU: Yes.
16	MR MPOFU: Chair, I don't want to add	16	CHAIRPERSON: I take it she is Xhosa
17	anything, I just want to clarify the point that you covered	17	speaking?
18	on how the arguments are structured. The three presenters,	18	MR MPOFU: She might not be but I think
19	Chair, are effectively arguing for all the parties	19	we'll understand each other. Okay, okay. I will try it in
20	interchangeably. So whatever Ms Barnes says covers the	20	my broken Zulu, ja.
21	injured, and so on, and so on. So the issue then is for	21	CHAIRPERSON: You might explain to her it
22	example on, and in respect of my submissions as far as the	22	won't impose any obligations on her.
23	in-camera, the conflating of the public with the parties is	23	MR MPOFU: Okay, she says thank you. I
24	concerned, the rhetorical question that should be asked is	24	think we'll explain it through the other representatives as
25	what harm the widows will visit upon Mr X as part of what	25	well.
	Page 25030		Page 25032
1	Page 25030 we're saying, even though I don't directly act for them.	1	Page 25032 CHAIRPERSON: Thank you.
1 2		1 2	
	we're saying, even though I don't directly act for them.		CHAIRPERSON: Thank you.
2	we're saying, even though I don't directly act for them. Thanks, Chairperson.	2	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair.
2	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've	2 3	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given
2 3 4	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives	2 3 4	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are
2 3 4 5	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have –	2 3 4 5	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can be
2 3 4 5 6	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes.	2 3 4 5 6	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm
2 3 4 5 6 7	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the	2 3 4 5 6 7	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.I'minterested to hear that the Xhosa word for evidence leader
2 3 4 5 6 7 8	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are	2 3 4 5 6 7 8	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word.
2 3 4 5 6 7 8 9	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the	2 3 4 5 6 7 8 9	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word.
2 3 4 5 6 7 8 9 10	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party	2 3 4 5 6 7 8 9 10	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. of assistance to her. Thank you for interpreting. interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. Vestor in Xhosa it's e-evidence
2 3 4 5 6 7 8 9 10 11	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.interested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is following
2 3 4 5 6 7 8 9 10 11 12 13	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.interested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is followingthe example of English in borrowing words from other
2 3 4 5 6 7 8 9 10 11 12 13 14	we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012.	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.interested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is followingthe example of English in borrowing words from otherlanguages.The Zulus would appear to be more reluctant to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.interested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is followingthe example of English in borrowing words from otherlanguages.The Zulus would appear to be more reluctant todo that.Alright, so thank you Ms Barnes for drawing our
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.I'minterested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is followingthe example of English in borrowing words from otherlanguages.The Zulus would appear to be more reluctant todo that.Alright, so thank you Ms Barnes for drawing ourattention, that's an important point.I hadn't realised
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:Thank you.MR MPOFU:Thank you, Chair.CHAIRPERSON:Mrs Langa is then givenpermission to join as a party.The evidence leaders arerequested to interviewer and to see in what way they can beof assistance to her.Thank you for interpreting.I'minterested to hear that the Xhosa word for evidence leaderis evidence leader but when you interpret it in Zulu youused some other word.MR MPOFU:Yes, in Xhosa it's e-evidenceleader.CHAIRPERSON:I see Xhosa is followingthe example of English in borrowing words from otherlanguages.The Zulus would appear to be more reluctant todo that.Alright, so thank you Ms Barnes for drawing ourattention, that's an important point.I hadn't realisedshe was present and I hadn't realised that it was, untilyou drew it to my attention, that it was desirable andperhaps even necessary to join her as a party but that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's Xhosa is higher. Mrs Langa, do you wish to be allowed to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do the reply for the SAPS, Ms Baloyi or Mr Semenya?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's Xhosa is higher. Mrs Langa, do you wish to be allowed to participate as a party in these proceedings from now on? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do the reply for the SAPS, Ms Baloyi or Mr Semenya? MR SEMENYA SC: I will, Chair. Chair,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's Xhosa is higher. Mrs Langa, do you wish to be allowed to participate as a party in these proceedings from now on? MRS LANGA: Yes, Chairperson. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do the reply for the SAPS, Ms Baloyi or Mr Semenya? MR SEMENYA SC: I will, Chair. Chair, before I do though –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's Xhosa is higher. Mrs Langa, do you wish to be allowed to participate as a party in these proceedings from now on? MRS LANGA: Yes, Chairperson. CHAIRPERSON: Alright. Mr Budlender, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do the reply for the SAPS, Ms Baloyi or Mr Semenya? MR SEMENYA SC: I will, Chair. Chair, before I do though – CHAIRPERSON: Shall we take a comfort
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	 we're saying, even though I don't directly act for them. Thanks, Chairperson. CHAIRPERSON: Thank you. Yes, you've anticipated a question I'm going to ask the representatives for SAPS when they reply. Does anyone else want to have – you've got your microphone on, Ms Barnes. MS BARNES: Chair, I apologise, there's an important fact that I omitted. It's in relation to the matter that was raised yesterday about whether there are possibly any unrepresented parties. I just wanted to place on record that there is in fact an unrepresented party here, Mrs Langa. I'm not sure if she is here today. She's the wife of Julius Langa who lost his life on Monday, the 13th of August 2012. [09:52] She's not represented by any attorney. CHAIRPERSON: As far as I understand she's never put herself on record but nevertheless she obviously has an interest in the matter. Mrs Langa, I take it you – do you need someone to interpret? Perhaps Mr Tokota can interpret, or Mr Mpofu, although Mr Tokota's Xhosa is higher. Mrs Langa, do you wish to be allowed to participate as a party in these proceedings from now on? MRS LANGA: Yes, Chairperson. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Thank you. MR MPOFU: Thank you, Chair. CHAIRPERSON: Mrs Langa is then given permission to join as a party. The evidence leaders are requested to interviewer and to see in what way they can be of assistance to her. Thank you for interpreting. I'm interested to hear that the Xhosa word for evidence leader is evidence leader but when you interpret it in Zulu you used some other word. MR MPOFU: Yes, in Xhosa it's e-evidence leader. CHAIRPERSON: I see Xhosa is following the example of English in borrowing words from other languages. The Zulus would appear to be more reluctant to do that. Alright, so thank you Ms Barnes for drawing our attention, that's an important point. I hadn't realised she was present and I hadn't realised that it was, until you drew it to my attention, that it was desirable and perhaps even necessary to join her as a party but that problem has now been solved, thank you. Who is going to do the reply for the SAPS, Ms Baloyi or Mr Semenya? MR SEMENYA SC: I will, Chair. Chair, before I do though –

Page 2503Page 21MR SEMENYA SC: CHAIRPERSON:It's not necessary, I woulda fidavit and then shall we make these NNN4.1, 2, 3.3CHAIRPERSON:It's not necessary, I wouldsuppose Brigadier Van Zyl's is the first one. NNN4.1 is4in the course of your address it might be sensible to takethe affidavit of Brigadier Van Zyl's is the first one. NNN4.1 is5the comfort break now but you must tell me.fifdavit of Brigadier Van Zyl's is the first one. NNN4.1 is6MR SEMENYA SC:May I take that offer,fifdavit of Brigadier Van Zyl's is the affidavit of Brigadier Van Zyl's is the first one. NNN4.3 is the affidavit7CHAIRPERSON:Yes.mr Att the affidavit of Brigadier Van Zyl's is the first one. NNN4.2 is the8CHAIRPERSON:Yes.MR MPOFU:Yes, Chair. Thank you,9MR SEMENYA SC:There is a confirmatoryfifdavit of Brigadier Van Zyl together with one by Darrenisturbed by this development. These affidavits which10affidavit of Brigadier Van Zyl together with one by Darreniffidavit of Chairperson. Chairperson, we are, to say the least,10affidavit of Brigadier Van Zyl together with one by Darreniffidavits and the costs associated with giving11the protection to Mr X if he were to testify in openfifactively purport to be supplementary affidavits which12the protection to Mr X if he were to testify in openfifactic which we, in respect of which we asked for13hearing. I'm told these were given to parties thisfifadvit. And so one cannot now, when the pleadings I16CHAIRPERSON:
2 CHAIRPERSON: Its not necessary, I would 3 take it a bit later but if you don't want an interruption suppose Brigadier Van Zyl's is the first one. NNN4.1 is 4 in the course of your address it might be sensible to take the affidavit of Brigadier Van Zyl's is the first one. NNN4.1 is 5 the comfort break now but you must tell me. affidavit of Colonel Rangasamy and NNN4.3 is the affidavit 6 MR SEMENYA SC: May 1 take that offer, fidavit of Colonel Rangasamy and NNN4.3 is the affidavit 7 Chair, immediately after making this announcement? suppose Brigadier Van Zyl's is the first one. NNN4.1 is 8 CHAIRPERSON: Yes. MR MPOFU: Yes, Chair. Thank you, 9 MR SEMENYA SC: There is a confirmatory fidavit of Brigadier Van Zyl together with one by Darren 10 affidavit of brigadier Van Zyl together with one by Darren fidavit for legadier Van Zyl together with one by Darren 11 Rangasamy, dealing with the costs associated with giving the protection to Mr X if he were to testify in open fit 13 hearing. I'm told these were given to parties this fit stage. They raise material issues which we would like to deal with but urone than that, Chairperson, they raise 16 CHAIRPERSON: Well, they are also, ap
3 take it a bit later but if you don't want an interruption 3 suppose Brigadier Van Zyl's is the first one. NNN4.1 is 4 in the course of your address it might be sensible to take 5 the comfort break now but you must tell me. 6 6 MR SEMENYA SC: May I take that offer, 7 Chair, immediately after making this announcement? 7 7 Chair, immediately after making this announcement? 7 8 MR MPOFU: Yes, Chair. Thank you, 9 MR SEMENYA SC: There is a confirmatory 0 6 MR MPOFU: Yes, Chair. Thank you, 10 affidavit of Brigadier Van Zyl together with one by Darren 18 MR MPOFU: Yes, Chair. Thank you, 11 Rangasamy, dealing with the costs associated with giving 11 effectively purport to be supplementary affidavits which 12 the protection to Mr X if he were to testify in open 13 hearing. I'm told these were given to parties this 13 hearing. I'm told these were given to parties this 14 morning. It may be that they are in an unsigned form as we 15 stage. They raise material issues which we would like to 14 morning. It may be that they are in an unsigned form of the affidavit, Mr Gotz and Ms matters which we, in respe
4in the course of your address it might be sensible to take the comfort break now but you must tell me.4the affidavit of Brigadier Van Zyl. NNN4.2 is the affidavit of Colonel Rangasamy and NNN4.3 is the affidavit of Mr X. Do any of the parties wish to say anything with regard to the affidavits that have been handed in?6MR SEMENYA SC: CHAIRPERSON: Yes.MR SEMENYA SC: There is a confirmatoryMR MPOFU: Yes, Chair. Thank you, 99MR SEMENYA SC: MR SEMENYA SC: There is a confirmatoryNM SEMENYA SC: There is a confirmatory 9MR MPOFU: Yes, Chair. Thank you, 910affidavit of Brigadier Van Zyl together with one by Darren 11 Rangasamy, dealing with the costs associated with giving 12 the protection to Mr X if he were to testify in open 13 hearing. I'm told these were given to parties this 14 morning. It may be that they are in an unsigned form as we 15 speak –MR MPOFU: Yes, Chair. Thank you, 916CHAIRPERSON: Seak –Well, they are also, apart 16 Mr Brickhill are all shaking their heads. So from their 20 20 koll anguage it would appear that they haven't got those 21 affidavits. So perhaps let's take the adjournment now. 22 24 our make sure they've got the affidavits and then we 23 24 attended to. And we also haven't got copies so we're all 25 26 equally disadvantaged, the opposing parties and the1Page 25034 2 21Commission. We'll take the comfort break, I think we'll 2 2 21Page 2 2 2 21Commission. We'll take the comfort break, I think we'll 2 21Page 2 2 2 22Commission. We'll take the comfort br
5 the comfort break now but you must tell me. 5 affidavit of Colonel Rangasamy and NNN4.3 is the affidavit. 6 MR SEMENYA SC: May I take that offer, 6 of Mr X. Do any of the parties wish to say anything with 7 Chair, immediately after making this announcement? 8 of Mr X. Do any of the parties wish to say anything with 8 CHAIRPERSON: Yes. 8 MR MPOFU: Yes, Chair. Thank you, 9 MR SEMENYA SC: There is a confirmatory 0 Chairperson. Chairperson, we are, to say the least, 10 affidavit of Brigadier Van Zyl together with one by Darren 11 Rangasamy, dealing with the costs associated with giving 11 Rangasamy, dealing with the costs associated with giving 11 effectively purport to be supplementary affidavits which 10 the protection to Mr X if he were to testify in open 12 aer being advanced without even the pretence of an 13 hearing. I'm told these were given to parties this 13 explanation as to why they're only being advanced at th 14 stage. They raise material issues which we would like t stage. 16 15 beday language it would appear that they haven't got those 20 closed, seek to deal with matters tha
6MR SEMENYA SC:May I take that offer,7Chair, immediately after making this announcement?8CHAIRPERSON:9MR SEMENYA SC:9MR SEMENYA SC:10affidavit of Brigadier Van Zyl together with one by Darren11Rangasamy, dealing with the costs associated with giving12the protection to Mr X if he were to testify in open13hearing. I'm told these were given to parties this14morning. It may be that they are in an unsigned form as wel15speak -16CHAIRPERSON:17from the unsigned form of the affidavit, Mr Gotz and Ms18Barnes and I don't know about the other - and Mr Mpofu and19Mr Brickhill are all shaking their heads. So from their20body language it would appear that they haven't got those21affidavits. So perhaps let's take the adjournment now.22You can make sure they ve got the affidavits and then we23can proceed, that piece of housekeeping having been24attended to. And we also haven't got copies so we're all25equally disadvantaged, the opposing parties and the26Commission. We'll take the comfort break, I think we'll21have filed an answering affidavit, even if it was a24take it for 15 minutes so that this matter can be – perhaps
7Chair, immediately after making this announcement?7regard to the affidavits that have been handed in?8CHAIRPERSON: Yes.8MR MPOFU: Yes, Chair. Thank you,9MR SEMENYA SC: There is a confirmatory9Chairperson. Chairperson, we are, to say the least,10affidavit of Brigadier Van Zyl together with one by Darren10disturbed by this development. These affidavits which11Rangasamy, dealing with the costs associated with giving10disturbed by this development. These affidavits which12the protection to Mr X if he were to testify in open12are being advanced without even the pretence of an13hearing. I'm told these were given to parties this11effectively purport to be supplementary affidavits which14morning. It may be that they are in an unsigned form as we12are being advanced without even the pretence of an15speak -16CHAIRPERSON: Well, they are also, apart17stage. They raise material issues which we would like t16CHAIRPERSON: Well, they are also, apart17explanations in our answering affidavits, which18Barnes and I don't know about the other - and Mr Mpofu and18explanations were not forthcoming in the replying19Mr Brickhill are all shaking their heads. So from their20closed, seek to deal with matters that were raised in the20body language it would appear that they haven't got those21answering affidavit. Not only after the pleadings have21attended to. And we also haven't got copies so we're all22m
8 CHAIRPERSON: Yes. 8 MR MPOFU: Yes, Chair. Thank you, 9 MR SEMENYA SC: There is a confirmatory 9 Chairperson. Chairperson, we are, to say the least, 10 affidavit of Brigadier Van Zyl together with one by Darren 11 Rangasamy, dealing with the costs associated with giving 12 the protection to Mr X if he were to testify in open 12 are being advanced without even the pretence of an 13 hearing. I'm told these were given to parties this 11 effectively purport to be supplementary affidavits which 14 morning. It may be that they are in an unsigned form as we 13 explanation as to why they're only being advanced at the 15 speak – 15 deal with but more than that, Chairperson, they raise 16 CHAIRPERSON: Well, they are also, apart 17 from the unsigned form of the affidavit, Mr Gotz and Ms 18 Barnes and I don't know about the other – and Mr Mpofu and 18 explanations in our answering affidavits, which 19 affidavits. So perhaps let's take the adjournment now. 20 closed, seek to deal with matters that were raised in the 20 closed, that piece of housekeeping having been 23 makes it even worse. It might ha
9MR SEMENYA SC: affidavit of Brigadier Van Zyl together with one by Darren 119Chairperson. Chairperson, we are, to say the least, disturbed by this development. These affidavits10affidavit of Brigadier Van Zyl together with one by Darren 1111Rangasamy, dealing with the costs associated with giving 1210disturbed by this development. These affidavits which 1211hearing. I'm told these were given to parties this speak - 1611effectively purport to be supplementary affidavits which 1216CHAIRPERSON: speak -Well, they are also, apart 1313explanation as to why they're only being advanced at the stage. They raise material issues which we would like t t stage. They raise material issues which we would like t t stage. They raise material issues which we would like t t stage. They raise material issues which we asked for 1718Barnes and I don't know about the other - and Mr Mpofu and 19Mr Brickhill are all shaking their heads. So from their 201610body language it would appear that they haven't got those 21affidavits. So perhaps let's take the adjournment now. 222022You can make sure they've got the affidavits and then we 23can proceed, that piece of housekeeping having been 242124tended to. And we also haven't got copies so we're all 25equally disadvantaged, the opposing parties and the2525equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument of 2625take it for 15 minutes so that this matter can be - perhaps1have f
10affidavit of Brigadier Van Zyl together with one by Darren10disturbed by this development. These affidavits11Rangasamy, dealing with the costs associated with giving11disturbed by this development. These affidavits which12the protection to Mr X if he were to testify in open11effectively purport to be supplementary affidavits which12the protection to Mr X if he were to testify in open12are being advanced without even the pretence of an13hearing. I'm told these were given to parties this13explanation as to why they're only being advanced at th14stage.CHAIRPERSON: Well, they are also, apart16chairperson, they raise16CHAIRPERSON: Well, they are also, apart16matters which we, in respect of which we asked for17from the unsigned form of the affidavit, Mr Gotz and Ms18explanations in our answering affidavits, which18Barnes and I don't know about the other – and Mr Mpofu and19Mr Brickhill are all shaking their heads. So from their20body language it would appear that they haven't got those20closed, seek to deal with matters that were raised in the21affidavits. So perhaps let's take the adjournment now.22You can make sure they've got the affidavits and then we23can proceed, that piece of housekeeping having been24attended to. And we also haven't got copies so we're all25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument o24take it for 15 minutes so that this m
11Rangasamy, dealing with the costs associated with giving the protection to Mr X if he were to testify in open hearing. I'm told these were given to parties this morning. It may be that they are in an unsigned form as we to speak –11effectively purport to be supplementary affidavits which are being advanced without even the pretence of an explanation as to why they're only being advanced at th stage. They raise material issues which we would like t deal with but more than that, Chairperson, they raise matters which we, in respect of which we asked for explanations in our answering affidavits, which16CHAIRPERSON:Well, they are also, apart from the unsigned form of the affidavit, Mr Gotz and Ms Barnes and I don't know about the other – and Mr Mpofu and affidavits. So perhaps let's take the adjournment now.18 explanations in our answering affidavits, which explanations were not forthcoming in the replying affidavit. And so one cannot now, when the pleadings have closed, seek to deal with matters that were raised in the answering affidavit. Not only after the pleadings have closed but after argument by our side, as it were, which makes it even worse. It might have been understandat we were given these late, for practical purposes, but allowed to have incorporated them into our argument o12Commission. We'll take the comfort break, I think we'll 2 take it for 15 minutes so that this matter can be – perhaps11 Page 25034 2 asupplementary affidavit. We might not have quibbled
12the protection to Mr X if he were to testify in open12are being advanced without even the pretence of an13hearing. I'm told these were given to parties this13are being advanced without even the pretence of an14morning. It may be that they are in an unsigned form as we14stage. They raise material issues which we would like t15speak –15deal with but more than that, Chairperson, they raise16CHAIRPERSON:Well, they are also, apart16matters which we, in respect of which we asked for17from the unsigned form of the affidavit, Mr Gotz and Ms17explanations in our answering affidavits, which18Barnes and I don't know about the other – and Mr Mpofu and18explanations were not forthcoming in the replying19Mr Brickhill are all shaking their heads. So from their10closed, seek to deal with matters that were raised in the20body language it would appear that they haven't got those21affidavits. Not only after the pleadings have21affidavits. So perhaps let's take the adjournment now.22closed but after argument by our side, as it were, which23can proceed, that piece of housekeeping having been23allowed to have incorporated them into our argument o23equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument o24take it for 15 minutes so that this matter can be – perhaps1have filed an answering affidavit, We might not have quibbled24take it for 15 minutes so that this matter can be
13hearing. I'm told these were given to parties this13explanation as to why they're only being advanced at the14morning. It may be that they are in an unsigned form as we14stage. They raise material issues which we would like the15speak –14stage. They raise material issues which we would like the16CHAIRPERSON:Well, they are also, apart15deal with but more than that, Chairperson, they raise17from the unsigned form of the affidavit, Mr Gotz and Ms18explanations in our answering affidavits, which18Barnes and I don't know about the other – and Mr Mpofu and18explanations were not forthcoming in the replying19Mr Brickhill are all shaking their heads. So from their19affidavit. And so one cannot now, when the pleadings I20body language it would appear that they haven't got those20closed, seek to deal with matters that were raised in the21affidavits. So perhaps let's take the adjournment now.21answering affidavit. Not only after the pleadings have22You can make sure they've got the affidavits and then we23can proceed, that piece of housekeeping having been24attended to. And we also haven't got copies so we're all24we were given these late, for practical purposes, but25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument or25atke it for 15 minutes so that this matter can be – perhaps1have filed an answering affidavit. We might not have quibbled
14morning. It may be that they are in an unsigned form as we14stage. They raise material issues which we would like t15speak -14stage. They raise material issues which we would like t16CHAIRPERSON:Well, they are also, apart15deal with but more than that, Chairperson, they raise17from the unsigned form of the affidavit, Mr Gotz and Ms17explanations in our answering affidavits, which18Barnes and I don't know about the other - and Mr Mpofu and18explanations were not forthcoming in the replying19Mr Brickhill are all shaking their heads. So from their19affidavit. And so one cannot now, when the pleadings have20body language it would appear that they haven't got those20closed, seek to deal with matters that were raised in the21affidavits. So perhaps let's take the adjournment now.21answering affidavit. Not only after the pleadings have22You can make sure they've got the affidavits and then we22closed but after argument by our side, as it were, which23can proceed, that piece of housekeeping having been23makes it even worse. It might have been understandat24attended to. And we also haven't got copies so we're all25allowed to have incorporated them into our argument o25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument o21Commission. We'll take the comfort break, I think we'll1have filed an answering affidavit. We might not have quibbled2take it for 1
15speak –15deal with but more than that, Chairperson, they raise16CHAIRPERSON:Well, they are also, apart15deal with but more than that, Chairperson, they raise17from the unsigned form of the affidavit, Mr Gotz and Ms16matters which we, in respect of which we asked for18Barnes and I don't know about the other – and Mr Mpofu and18explanations in our answering affidavits, which19Mr Brickhill are all shaking their heads. So from their19affidavit. And so one cannot now, when the pleadings I20body language it would appear that they haven't got those20closed, seek to deal with matters that were raised in the21affidavits. So perhaps let's take the adjournment now.20closed, seek to deal with matters that were raised in the23can proceed, that piece of housekeeping having been24attended to. And we also haven't got copies so we're all25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument o241Commission. We'll take the comfort break, I think we'll1have filed an answering affidavit, even if it was a21take it for 15 minutes so that this matter can be – perhaps1have filed an answering affidavit. We might not have quibbled
16CHAIRPERSON:Well, they are also, apart16matters which we, in respect of which we asked for17from the unsigned form of the affidavit, Mr Gotz and Ms18Barnes and I don't know about the other – and Mr Mpofu and19Mr Brickhill are all shaking their heads. So from their10we vere not forthcoming in the replying19Mr Brickhill are all shaking their heads. So from their10affidavits. So perhaps let's take the adjournment now.1020body language it would appear that they haven't got those20closed, seek to deal with matters that were raised in the21affidavits. So perhaps let's take the adjournment now.22You can make sure they've got the affidavits and then we23can proceed, that piece of housekeeping having been23attended to. And we also haven't got copies so we're all24attended to. And we also haven't got copies so we're all24attended to have also haven't got copies so we're all25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument oPage 250341Commission. We'll take the comfort break, I think we'll1have filed an answering affidavit. We might not have quibbled2take it for 15 minutes so that this matter can be – perhaps21
 17 from the unsigned form of the affidavit, Mr Gotz and Ms 18 Barnes and I don't know about the other – and Mr Mpofu and 19 Mr Brickhill are all shaking their heads. So from their 20 body language it would appear that they haven't got those 21 affidavits. So perhaps let's take the adjournment now. 22 You can make sure they've got the affidavits and then we 23 can proceed, that piece of housekeeping having been 24 attended to. And we also haven't got copies so we're all 25 equally disadvantaged, the opposing parties and the 26 Commission. We'll take the comfort break, I think we'll 27 take it for 15 minutes so that this matter can be – perhaps 28 fidavit. You can the so that this matter can be – perhaps 29 affidavit. We might not have quibbled 20 affidavit. We might not have quibbled
18Barnes and I don't know about the other – and Mr Mpofu and Mr Brickhill are all shaking their heads. So from their body language it would appear that they haven't got those affidavits. So perhaps let's take the adjournment now.18explanations were not forthcoming in the replying affidavit. And so one cannot now, when the pleadings I closed, seek to deal with matters that were raised in the answering affidavit. Not only after the pleadings have closed but after argument by our side, as it were, which makes it even worse. It might have been understandat we were given these late, for practical purposes, but allowed to have incorporated them into our argument o18Page 25034 take it for 15 minutes so that this matter can be – perhapsPage 25034 take it for 15 minutes so that this matter can be – perhaps
19Mr Brickhill are all shaking their heads. So from their19affidavit. And so one cannot now, when the pleadings is20body language it would appear that they haven't got those19affidavit. And so one cannot now, when the pleadings is21affidavits. So perhaps let's take the adjournment now.20closed, seek to deal with matters that were raised in the22You can make sure they've got the affidavits and then we20closed but after argument by our side, as it were, which23can proceed, that piece of housekeeping having been21attended to. And we also haven't got copies so we're all2324attended to. And we also haven't got copies so we're all24we were given these late, for practical purposes, but25equally disadvantaged, the opposing parties and the25allowed to have incorporated them into our argument oPage 25034Page 250341have filed an answering affidavit, even if it was a2take it for 15 minutes so that this matter can be – perhaps2supplementary affidavit. We might not have quibbled
 20 body language it would appear that they haven't got those 21 affidavits. So perhaps let's take the adjournment now. 22 You can make sure they've got the affidavits and then we 23 can proceed, that piece of housekeeping having been 24 attended to. And we also haven't got copies so we're all 25 equally disadvantaged, the opposing parties and the 26 Page 25034 1 Commission. We'll take the comfort break, I think we'll 27 take it for 15 minutes so that this matter can be – perhaps 20 closed, seek to deal with matters that were raised in the 20 closed, seek to deal with matters that were raised in the 21 answering affidavit. Not only after the pleadings have 22 closed but after argument by our side, as it were, which 23 makes it even worse. It might have been understandate 24 we were given these late, for practical purposes, but 25 allowed to have incorporated them into our argument or 26 have filed an answering affidavit, even if it was a 27 supplementary affidavit. We might not have quibbled
 affidavits. So perhaps let's take the adjournment now. You can make sure they've got the affidavits and then we can proceed, that piece of housekeeping having been attended to. And we also haven't got copies so we're all equally disadvantaged, the opposing parties and the Page 25034 Commission. We'll take the comfort break, I think we'll take it for 15 minutes so that this matter can be – perhaps affidavit. Not only after the pleadings have closed but after argument by our side, as it were, which closed but after argument by our side, as it were, which answering affidavit. Not only after the pleadings have closed but after argument by our side, as it were, which makes it even worse. It might have been understandate we were given these late, for practical purposes, but allowed to have incorporated them into our argument or
 You can make sure they've got the affidavits and then we can proceed, that piece of housekeeping having been attended to. And we also haven't got copies so we're all equally disadvantaged, the opposing parties and the Page 25034 Commission. We'll take the comfort break, I think we'll take it for 15 minutes so that this matter can be – perhaps Commission and the sure they've got the affidavits and then we closed but after argument by our side, as it were, which makes it even worse. It might have been understandate we were given these late, for practical purposes, but allowed to have incorporated them into our argument or argument of the second the makes it for 15 minutes so that this matter can be – perhaps
 23 can proceed, that piece of housekeeping having been 24 attended to. And we also haven't got copies so we're all 25 equally disadvantaged, the opposing parties and the 26 Page 25034 27 Commission. We'll take the comfort break, I think we'll 28 Take it for 15 minutes so that this matter can be – perhaps 29 makes it even worse. It might have been understandate we were given these late, for practical purposes, but allowed to have incorporated them into our argument or allowed to have incorporated them into our argument or allowed to have filed an answering affidavit, even if it was a supplementary affidavit. We might not have quibbled
24 attended to. And we also haven't got copies so we're all 24 we were given these late, for practical purposes, but 25 equally disadvantaged, the opposing parties and the 24 we were given these late, for practical purposes, but 26 allowed to have incorporated them into our argument or 25 27 Page 25034 Page 25034 28 Commission. We'll take the comfort break, I think we'll 1 29 take it for 15 minutes so that this matter can be – perhaps 2 20 supplementary affidavit. We might not have quibbled
25 equally disadvantaged, the opposing parties and the 25 allowed to have incorporated them into our argument o Page 25034 Page 25034 Page 2 1 Commission. We'll take the comfort break, I think we'll 1 have filed an answering affidavit, even if it was a 2 take it for 15 minutes so that this matter can be – perhaps 2 supplementary affidavit. We might not have quibbled
Page 25034 1 Commission. We'll take the comfort break, I think we'll 2 take it for 15 minutes so that this matter can be – perhaps Page 25034 1 have filed an answering affidavit, even if it was a 2 supplementary affidavit. We might not have quibbled
1Commission. We'll take the comfort break, I think we'll1have filed an answering affidavit, even if it was a2take it for 15 minutes so that this matter can be – perhaps2supplementary affidavit. We might not have quibbled
1Commission. We'll take the comfort break, I think we'll1have filed an answering affidavit, even if it was a2take it for 15 minutes so that this matter can be – perhaps2supplementary affidavit. We might not have quibbled
2 take it for 15 minutes so that this matter can be – perhaps 2 supplementary affidavit. We might not have quibbled
3 ja, let's take it for 15 minutes now to give ample time for 3 it as long as we would have had a chance to deal with
4 this point to be dealt with. 4 material because these proceedings are not, you know
5 [COMMISSION ADJOURNS COMMISSION RESUMES] 5 don't, are not run on a technical basis as such but it's
6 [10:33] CHAIRPERSON: The Commission resumes. We 6 not a technical matter, it's a matter of substance that we
7 were waiting before coming back, to receive copies of the 7 have to deal with this material.
8 affidavits to which we were referred by Mr Semenya. We've 8 Secondly, Chairperson, even a cursory browsing
9 now just a few moments, a few minutes ago received a copy 9 these documents would suggest that some of the mate
10 of the affidavit from Brigadier Van Zyl, the provincial 10 here we have to counteract by making our own
11 head of the detective services in the North-West Province, 11 investigations. I'll just make a simple example,
12 a confirmatory affidavit of Mr X and an explanatory 12 Chairperson.
13 affidavit by Colonel Rangasamy. I take it that exhibits 13 CHAIRPERSON: Mr Mpofu –
14 must now be handed in as exhibits. They wouldn't really be 14 MR MPOFU: Yes, Chairperson?
15 part of the Mr Mdze series. I should imagine we should 15 CHAIRPERSON: You can carry on.
16 call them NNN1, 2, 3. Is that – and I suppose we should 16 MR MPOFU: Yes, I'll –
17 actually also, while we're about it, give exhibit numbers 17 CHAIRPERSON: I want to say this to you
18 to the other affidavits that we haven't done yet. So what 18 MR MPOFU: - two other points, Chair.
19 we'll do is we will make the Notice of Motion NNN1, the 19 CHAIRPERSON: It seems to be undesirable
20 Notice of Motion of the application NNN1, NNN2 will be the 20 – well you make your two points first before L tell you
20 Notice of Motion of the application NNN1. NNN2 will be the 21 opposing affidavit, NNN3 – 21 what it is –
21 opposing affidavit, NNN3 – 21 what it is –
21 opposing affidavit, NNN3 –21 what it is –22 MS PILLAY: With annexures, Chair, the22 MR MPOFU: Yes, thank you, Chairperson
21 opposing affidavit, NNN3 –21 what it is –22 MS PILLAY:With annexures, Chair, the23 opposing affidavit with annexures.23 The second point, Chairperson, is that as I say, even at
21 opposing affidavit, NNN3 –21 what it is –22 MS PILLAY:With annexures, Chair, the22 MR MPOFU:Yes, thank you, Chairperson

	Page 25037		Page 25039
1	needs to be made and I'll make a very simple example.	1	MR MPOFU: Well, I would like an – well,
2	CHAIRPERSON: If they're irrelevant then	2	what I'm trying to say, Chairperson, whether it's in
3	of course you don't have to worry about them but it's only	3	writing or verbally doesn't matter, we'd like a proper
4	if they may be relevant that you have to deal with them,	4	opportunity to – so what I'm saying here now is what I'm
		5	
5	possibly reply –		saying after having looked at these things for 10 minutes,
6	MR MPOFU: Yes, but the Chairperson was	6	so I don't want that to be the alpha and omega of our
7	right – sorry.	7	response here. The next point is, somehow in this costing
8	CHAIRPERSON: I understand your argument.	8	exercise is slipped in the affidavit of Mr X which, quite
9	Maybe you will contend they're irrelevant but you would	9	frankly, has nothing to do with the costing exercise but is
10	obviously wish to cover yourself by saying, as you have	10	something that we have demanded to be done. Ms Barnes this
11	done in other parts of the argument, in the event –	11	morning went on for a few minutes about the absence of Mr
12	MR MPOFU: Yes.	12	X's own averments.
13	CHAIRPERSON: - that they are relevant,	13	CHAIRPERSON: I think "went on" is an
14	which we deny –	14	unhappy way of putting it.
15	MR MPOFU: Yes.	15	MR MPOFU: Well –
16	CHAIRPERSON: - we would like to reply.	16	CHAIRPERSON: She argued the matter quite
17	MR MPOFU: Correct.	17	forcefully for some time.
18	CHAIRPERSON: Yes, I understand.	18	MR MPOFU: Yes, she did.
19	MR MPOFU: No, fair enough, Chairperson.	19	CHAIRPERSON: And made the point –
20	All I'm saying is that even that point we might raise in	20	MR MPOFU: For a while, ja. No, no –
21	limine in an answering affidavit but the point I'm making	21	CHAIRPERSON: That's a better way of
22	is that -	22	putting it.
23	CHAIRPERSON: I don't think that this	23	MR MPOFU: The longer it is, the better
24	forum is one where we either allow witnesses to be battered	24	for the weight of what I'm about to say, Chairperson. The
25	or in limine points to be taken.	25	point really is that this is something that we have raised
20		20	
	Page 25038		Page 25040
1	Page 25038 MR MPOFU: Yes, thank you, Chairperson,	1	Page 25040 as a weakness and it turns out, Chairperson, that this
1 2	MR MPOFU: Yes, thank you, Chairperson,	1 2	-
	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just		as a weakness and it turns out, Chairperson, that this
2	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these	2	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know
2 3	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that	2 3	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a
2 3 4 5	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use	2 3 4	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital
2 3 4 5 6	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the	2 3 4 5 6	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr
2 3 4 5 6 7	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example	2 3 4 5 6 7	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's
2 3 4 5 6 7 8	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of	2 3 4 5 6 7 8	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory
2 3 4 5 6 7 8 9	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is	2 3 4 5 6 7 8 9	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there.
2 3 4 5 6 7 8 9 10	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly –	2 3 4 5 6 7 8 9 10	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better
2 3 4 5 6 7 8 9 10 11	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds	2 3 4 5 6 7 8 9 10 11	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February.
2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point -	2 3 4 5 6 7 8 9 10 11 12	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is
2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you.	2 3 4 5 6 7 8 9 10 11 12 13	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which -
2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be	2 3 4 5 6 7 8 9 10 11 12 13 14	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr Semenya has heard it, if he thinks there's anything in it	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes. CHAIRPERSON: - which you say is not
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr Semenya has heard it, if he thinks there's anything in it he will supplement.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes. CHAIRPERSON: - which you say is not well-founded but that's another matter.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr Semenya has heard it, if he thinks there's anything in it he will supplement. MR MPOFU: Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes. CHAIRPERSON: - which you say is not well-founded but that's another matter. MR MPOFU: Sure.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr Semenya has heard it, if he thinks there's anything in it he will supplement. MR MPOFU: Okay. CHAIRPERSON: If he thinks there isn't	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes. CHAIRPERSON: - which you say is not well-founded but that's another matter. MR MPOFU: Sure. CHAIRPERSON: That Mr X could be killed
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR MPOFU: Yes, thank you, Chairperson, but if they are relevant then, Chairperson, allow me just to make this example. The purported purpose of these documents is to display to the Commission the cost that might be involved in assisting Mr X and so on but what use is that inquiry if we don't have the cost of, the countermanding cost of the video link because for example if the cost of bringing him here is 200 000 but the cost of the video link is 500 000 then this whole exercise is futile. And so firstly – CHAIRPERSON: Prima facie that sounds like a good point - MR MPOFU: Thank you, thank you. CHAIRPERSON: - which Mr Semenya will be taking aboard, I'm sure. MR MPOFU: Yes. Thank you, Chairperson, we'll raise these in writing in good time. The third one is the fact that somehow in the – CHAIRPERSON: You don't have to raise it in writing, you've raised it, it'll be transcribed, Mr Semenya has heard it, if he thinks there's anything in it he will supplement. MR MPOFU: Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	as a weakness and it turns out, Chairperson, that this affidavit of Mr X was actually commissioned on the 10th of March 2014, some eight days ago. I mean, and we don't know why it was withheld. It's just sneaked in as part of a costing exercise and it's something that is of vital importance. The criticism we had was the fact that Mr Pretorius's affidavit was – or rather it was not Mr X's affidavit or at the very worst that Mr X's confirmatory should have been there. CHAIRPERSON: There's even a better point, it was apparently typed in February. MR MPOFU: Chairperson? Oh well, that is another – ja, it's typed in February and which - CHAIRPERSON: Mr Mpofu, I don't want to be difficult. MR MPOFU: Yes. CHAIRPERSON: You know, this is an application which is literally about life and death. The basis of the application is a fear – MR MPOFU: Yes. CHAIRPERSON: - which you say is not well-founded but that's another matter. MR MPOFU: Sure.

1	Page 25041 MR MPOFU: By the widows.	1	Page 25043 consideration and that is the annexures to Colonel
2	CHAIRPERSON: - if he comes and gives	2	Rangasamy's affidavit aren't initialled either by the
3	evidence and the application isn't granted. So therefore	3	commissioner or the deponent to the affidavit. In the
4	it's not a kind of matter in which, technical points can	4	interests of good order that should be sorted out as well.
5	really be taken. And if, for example, the application	5	If we postpone the matter till Monday that's something that
6	were, if the application would fail because there's no	6	can also be attended to in the interim.
7	affidavit from Mr X and because his affidavit is out of	7	MR MPOFU: Yes. No, Chairperson, as the
8	time and, you know, the sort of affidavit one doesn't	8	Chairperson correctly pointed out, let me point out that
9	receive out of time without a proper explanation and so on,	9	we're not really interested in those technical issues. The
9 10	then and if that were the reason for the application to	9 10	point we're making is that there needs to be an explanation
11	fail, then they would come back with another application	11	
12	half an hour later with the application in it, so we'd have	12	CHAIRPERSON: I understand that but
13	the whole exercise all over again. So let's concentrate on	13	things should be done properly.
14	the matter.	14	MR MPOFU: Yes.
15	MR MPOFU: No, Chair –	15	CHAIRPERSON: This is an important
16	CHAIRPERSON: What I'm proposing to do,	16	Commission –
17	subject to what you have to say –	17	MR MPOFU: Alternatively there should be
18	MR MPOFU: Sure.	17	an explanation, ja. That's all really.
19	CHAIRPERSON: - is to stop hearing the	19	CHAIRPERSON: Anyway, but this is put up
20	application at this stage, to postpone it, to enable your	20	to us as a matter of literally life and death, we've got to
21	side and perhaps the evidence leaders too if they want to	20	take it very seriously.
22	be involved, to file further affidavits if you wish to do	22	MR MPOFU: Yes.
23	so and then obviously give you an opportunity to argue the	23	CHAIRPERSON: And we've got to, as I say,
24	further points that arise and then and only after that	24	if the papers aren't in order they'll just come back again
25	would the police be given an opportunity to reply now and	25	so there's no point –
			·
	Page 25042		Page 25044
1	then you come with affidavits and so on. So the only	1	MR MPOFU: No, Chair.
2	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that	2	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is
2 3	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only	2 3	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day?
2 3 4	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application.	2 3 4	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one
2 3 4 5	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson.	2 3 4 5	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one step back. What our proposal is, would be that this whole
2 3 4 5 6	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are	2 3 4 5 6	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one step back. What our proposal is, would be that this whole inquiry be treated discreetly, in other words that SAPS can
2 3 4 5 6 7	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know	2 3 4 5 6 7	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whatever
2 3 4 5 6 7 8	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two	2 3 4 5 6 7 8	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is about
2 3 4 5 6 7 8 9	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these	2 3 4 5 6 7 8 9	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case which
2 3 4 5 6 7 8 9 10	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit	2 3 4 5 6 7 8 9 10	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a few
2 3 4 5 6 7 8 9 10 11	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have	2 3 4 5 6 7 8 9 10 11	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because we
2 3 4 5 6 7 8 9 10 11 12	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare	2 3 4 5 6 7 8 9 10 11 12	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then we
2 3 4 5 6 7 8 9 10 11 12 13	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.
2 3 4 5 6 7 8 9 10 11 12 13 14	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, you
2 3 4 5 6 7 8 9 10 11 12 13 14 15	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and then
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back.What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not.There might be an extensive argument and thenthey would have to reply again.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and thenthey would have to reply again.MR MPOFU:But it is still discreet –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:MR MPOFU:MR MPOFU:But it is still discreet –CHAIRPERSON:I hear what you're saying.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one step back. What our proposal is, would be that this whole inquiry be treated discreetly, in other words that SAPS can answer, can reply now to what has been argued and whatever our responses will be on this discreet issue which is about costing, because really this is one leg of their case which is quite discreet and severable and it might take a few minutes in that case, or no minutes at all, because we might ask for this and they give it to us and then we simply give you the papers. CHAIRPERSON: On the other hand, you might not. There might be an extensive argument and then they would have to reply again. MR MPOFU: But it is still discreet – CHAIRPERSON: I hear what you're saying. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and thenthey would have to reply again.MR MPOFU:But it is still discreet –CHAIRPERSON:I hear what you're saying.MR MPOFU:Yes.CHAIRPERSON:Let's hear what Mr Semenya
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson – CHAIRPERSON: Sorry, while you're taking	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one step back. What our proposal is, would be that this whole inquiry be treated discreetly, in other words that SAPS can answer, can reply now to what has been argued and whatever our responses will be on this discreet issue which is about costing, because really this is one leg of their case which is quite discreet and severable and it might take a few minutes in that case, or no minutes at all, because we might ask for this and they give it to us and then we simply give you the papers. CHAIRPERSON: On the other hand, you might not. There might be an extensive argument and then they would have to reply again. MR MPOFU: But it is still discreet – CHAIRPERSON: I hear what you're saying. MR MPOFU: Yes. CHAIRPERSON: Let's hear what Mr Semenya says about this.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson – CHAIRPERSON: Sorry, while you're taking instructions or going to tell me what the instructions are,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: No, Chair. CHAIRPERSON: The only question is, is Monday a good day? MR MPOFU: Chairperson, let me take one step back. What our proposal is, would be that this whole inquiry be treated discreetly, in other words that SAPS can answer, can reply now to what has been argued and whatever our responses will be on this discreet issue which is about costing, because really this is one leg of their case which is quite discreet and severable and it might take a few minutes in that case, or no minutes at all, because we might ask for this and they give it to us and then we simply give you the papers. CHAIRPERSON: On the other hand, you might not. There might be an extensive argument and then they would have to reply again. MR MPOFU: But it is still discreet – CHAIRPERSON: I hear what you're saying. MR MPOFU: Yes. CHAIRPERSON: Let's hear what Mr Semenya says about this. MR SEMENYA SC: Chair –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson – CHAIRPERSON: Sorry, while you're taking instructions or going to tell me what the instructions are, Adv Hemraj points out that there's a point that could also	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and thenthey would have to reply again.MR MPOFU:Yes.CHAIRPERSON:I hear what you're saying.MR MPOFU:Yes.CHAIRPERSON:Let's hear what Mr Semenyasays about this.MR SEMENYA SC:MR SEMENYA SC:Chair –CHAIRPERSON:Of course, it's whether
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson – CHAIRPERSON: Sorry, while you're taking instructions or going to tell me what the instructions are, Adv Hemraj points out that there's a point that could also have been taken that you didn't take, presumably you waived	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and thenthey would have to reply again.MR MPOFU:Yes.CHAIRPERSON:I hear what you're saying.MR MPOFU:Yes.CHAIRPERSON:Let's hear what Mr Semenyasays about this.MR SEMENYA SC:MR SEMENYA SC:Chair –CHAIRPERSON:Of course, it's whetherMonday is enough time, is what - but the first question is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	then you come with affidavits and so on. So the only question – I see you're nodding your head so if that proposal meets, is favourably received, then the only question is until when I should postpone the application. MR MPOFU: Thank you, Chairperson. CHAIRPERSON: I would, my instincts are to make it next Monday. That gives you, I don't know whether you work on a public holiday but that gives you two days because we're not sitting tomorrow because these chambers aren't available and we decided not to sit Thursday because Friday is a public holiday, we'd just have to come back for one day. It gives you two days to prepare such replying affidavits as you consider appropriate, to give them to the police and then we can then proceed with the application on Monday. That's what I would propose. MR MPOFU: Yes. CHAIRPERSON: How do you react to that proposal? MR MPOFU: Chairperson, if I may just consult with my fellow travellers? Chairperson – CHAIRPERSON: Sorry, while you're taking instructions or going to tell me what the instructions are, Adv Hemraj points out that there's a point that could also	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU:No, Chair.CHAIRPERSON:The only question is, isMonday a good day?MR MPOFU:MR MPOFU:Chairperson, let me take onestep back. What our proposal is, would be that this wholeinquiry be treated discreetly, in other words that SAPS cananswer, can reply now to what has been argued and whateverour responses will be on this discreet issue which is aboutcosting, because really this is one leg of their case whichis quite discreet and severable and it might take a fewminutes in that case, or no minutes at all, because wemight ask for this and they give it to us and then wesimply give you the papers.CHAIRPERSON:On the other hand, youmight not. There might be an extensive argument and thenthey would have to reply again.MR MPOFU:Yes.CHAIRPERSON:I hear what you're saying.MR MPOFU:Yes.CHAIRPERSON:Let's hear what Mr Semenyasays about this.MR SEMENYA SC:MR SEMENYA SC:Chair –CHAIRPERSON:Of course, it's whether

Pretoria

1	Page 25045	1	Page 25047
1	and, if necessary, extra argument to be received and if	1	that have been handed in this morning by close of sitting,
2	that is appropriate, it seems to me prima facie it is, then	2	the session of the Commission on Monday and the police will
3 4	the question whether postponement till Monday would give enough time to your learned opponents as well as to the	3 4	be given the opportunity to reply thereto, if any affidavits are filed, by the close of the sitting of the
5	police.	4 5	Commission on Tuesday. The matter, as I said, will then be
6	MR SEMENYA SC: Chair, I will be indebted	6	argued at 9 o'clock or so soon thereafter as can be on
7	if we were to look at Wednesday. I have difficulties with	7	Wednesday.
8	Monday and Tuesday coming but the idea of a postponement we	8	[10:52] MR MPOFU: Thank you, or so soon
9	support, Chair. The second issue which Mr Mpofu raised is	9	thereafter. Thank you, Chairperson. Mr Brickhill, just
10	about something being discreet and severable. We would	10	for the sake of completion, will not be here next week but
11	contend differently. We intend to be able to argue in	11	we'll get his input. He's not available next week at all.
12	reply, resting all of that reply on the basis of facts that	12	CHAIRPERSON: Are you content not to be –
13	they want to respond to.	13	I understand how these things work but –
14	MR MPOFU: Yes. Well, in that case then,	14	MR BRICKHILL: Chair, I wouldn't want to
15	Chairperson, the idea of Wednesday might make sense because	15	further delay the finalisation of the application.
16	we, before any reply is offered we would like to reargue	16	CHAIRPERSON: Thank you, thank you. Very
17	our portion on the basis, for example, that now it is Mr X	17	well, we will now adjourn for Major-General Naidoo to be
18	himself, not Mr Pretorius who is scared of the widows.	18	contacted. I don't know how, where he is, but he is close
19	CHAIRPERSON: No – no, I said – yes, Mr	19	by - unless he can, well, yes. Let's adjourn, take the tea
20	Mpofu I understand that. I said that it may well be that	20	adjournment now and as soon as the tea adjournment is over
21	you would wish to argue the matter further in the light of	21	we'd expect the Major-General to be at the witness table,
22	these papers and clearly that opportunity must be afforded	22	waiting to be reminded he's under oath. We'll now adjourn
23	you. So if Wednesday is acceptable to all concerned then	23	for tea.
24	we will stand this application down and -	24	[COMMISSION ADJOURNS COMMISSION RESUMES]
25	MR MPOFU: Chair, I'm sorry, Chairperson.	25	[11:18] CHAIRPERSON: The Commission resumes.
	Page 250/6		Page 250/8
1	Page 25046 I need another consent. Chairperson, yes, we're happy with	1	Page 25048 Major General, you're still under oath.
1 2	<u> </u>	1 2	
	I need another consent. Chairperson, yes, we're happy with		Major General, you're still under oath.
2	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an	2	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair.
2 3	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply	2 3	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross-
2 3 4	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will	2 3 4	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining.
2 3 4 5	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready.	2 3 4 5	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson.
2 3 4 5 6	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to	2 3 4 5 6	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of
2 3 4 5 6 7	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya,	2 3 4 5 6 7	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it.
2 3 4 5 6 7 8 9 10	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time?	2 3 4 5 6 7 8	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.):
2 3 4 5 6 7 8 9 10 11	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business.	2 3 4 5 6 7 8 9 10 11	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General.
2 3 4 5 6 7 8 9 10 11 12	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday	2 3 4 5 6 7 8 9 10 11 12	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate.
2 3 4 5 6 7 8 9 10 11 12 13	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use.	2 3 4 5 6 7 8 9 10 11 12 13	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections
2 3 4 5 6 7 8 9 10 11 12 13 14	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay -	2 3 4 5 6 7 8 9 10 11 12 13 14	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are accepted, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they mainly deal with –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are accepted, Chair. CHAIRPERSON: So the application will	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they mainly deal with – CHAIRPERSON: I deliberately said the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are accepted, Chair. CHAIRPERSON: So the application will then be postponed until Wednesday of next week and it is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they mainly deal with – CHAIRPERSON: I deliberately said the numbers because I take it you mightn't want to disclose at
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are accepted, Chair. CHAIRPERSON: So the application will then be postponed until Wednesday of next week and it is recorded that the opposing parties will file such	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they mainly deal with – CHAIRPERSON: I deliberately said the numbers because I take it you mightn't want to disclose at this stage what the topics are.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	I need another consent. Chairperson, yes, we're happy with Wednesday. The proposal is therefore that we would file an answer on Monday, if any, and the SAPS might want to reply on, end of business on Tuesday and then hopefully we will be ready. CHAIRPERSON: I take it I don't have to make an order to that effect. MR MPOFU: On that, ja – CHAIRPERSON: The proposal, Mr Semenya, is that they file – when on Monday, lunch time? MR MPOFU: Close of business. CHAIRPERSON: Close of business on Monday – business isn't an appropriate expression to use. MR MPOFU: Okay - CHAIRPERSON: Close of the session on Monday and the police will then have an opportunity to reply in an affidavit or affidavits to be filed by close of sitting on Tuesday and the matter then argued on Wednesday. That seems appropriate. MR SEMENYA SC: Those time frames are accepted, Chair. CHAIRPERSON: So the application will then be postponed until Wednesday of next week and it is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Major General, you're still under oath. GANASEN NAIDOO: Still under oath, Chair. CHAIRPERSON: Mr Mpofu, you are cross- examining. MR MPOFU: Yes, thank you, Chairperson. CHAIRPERSON: You've dealt with most of the topics in respect of which I gave you leave, but there are some points left that you want to raise with the witness, I take it. CROSS-EXAMINATION BY MR MPOFU (CONTD.): That's correct, Chairperson. Good morning, Major General. GENERAL NAIDOO: Good morning, Advocate. MR MPOFU: Okay, I've got two sections that I want to deal with, but if you can allow me before that, I'm just going to sweep through a few – CHAIRPERSON: May I ask you, obviously don't tell me what they are, but can you give me the numbers on the document that you – MR MPOFU: Well, I will, Chairperson, in due course. I don't have the document with me, but they mainly deal with – CHAIRPERSON: I deliberately said the numbers because I take it you mightn't want to disclose at

	Page 25049		Page 25051
1	Chairperson.	1	MR MPOFU: Yes, and in the course of that
2	CHAIRPERSON: Alright, well then what are	2	I suggested among other things that the body of the
3	they?	3	deceased policemen had been taken to the hospital, whereas
4	MR MPOFU: The one issue is around the	4	the other bodies were left there lying on the veld.
5	arrests that were made, seeing that I act for the injured	5	GENERAL NAIDOO: Chair, I think what I
6	and arrested –	6	responded there was that I know that one of the injured
7	CHAIRPERSON: That is topic 5, yes.	7	policeman who later died was taken to the hospital in a
8	MR MPOFU: Yes.	8	police vehicle, that's correct.
9	CHAIRPERSON: Issues and circumstances	9	MR MPOFU: Yes, that's the point, and you
10	connected with arrested protesters specifically and	10	said you knew nothing about the body of the deceased one
11	generally only in respect of scene 2 arrests.	11	being taken to the hospital.
12	MR MPOFU: Yes. The other issue really	12	GENERAL NAIDOO: Chair, I, what I
13	is related to that but it arises from the cross-	13	indicated was I remember that there was one deceased
14	examination, and that's to do with - yes, it's to do with -	14	policeman on the scene, yes. I did not know about how his
15	okay, I'd rather not disclose that one now, but it flows	15	body was transported and to where, yes.
16	from –	16	MR MPOFU: Yes, okay. Well then can you
17	CHAIRPERSON: Well, carry on in the	17	go to paragraph 28 of your statement, JJJ108? You say
18	meanwhile with the -	18	there, "Two police officers were killed and a third was
19	MR MPOFU: Thank you.	19	seriously injured and airlifted to Pretoria. We then
20	CHAIRPERSON: - with number 5 and then –	20	visited the mine hospital where we viewed the body of the
21	MR MPOFU: Ja, well as I was busy saying	21	deceased member who was hacked to death."
22	to the witness, Chairperson, Major General, I'm just going	22	GENERAL NAIDOO: That's correct.
23	to ask you a couple of things which might look unrelated.	23	MR MPOFU: Yes, which is the correct
24	It's just to clean up some of the issues that we've already	24	version?
25	covered, so please forgive me, I'll be jumping from one	25	GENERAL NAIDOO: Chair, that was the one
1	Page 25050	1	Page 25052
1	thing to another for a few minutes.	1	who was transported to the Andrew Saffy Hospital and he
2	thing to another for a few minutes. The first one relates to the topic that we	2	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the
2 3	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality	2 3	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene.
2 3 4	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct	2 3 4	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but
2 3 4 5	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there	2 3 4 5	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital?
2 3 4 5 6	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and	2 3 4 5 6	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not
2 3 4 5 6 7	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism	2 3 4 5 6 7	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman
2 3 4 5 6 7 8	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior	2 3 4 5 6 7 8	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was
2 3 4 5 6 7 8 9	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people?	2 3 4 5 6 7 8 9	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured.
2 3 4 5 6 7 8 9 10	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a	2 3 4 5 6 7 8 9 10	 who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence	2 3 4 5 6 7 8 9 10 11	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were
2 3 4 5 6 7 8 9 10 11 12	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available.	2 3 4 5 6 7 8 9 10 11 12	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he
2 3 4 5 6 7 8 9 10 11 12 13	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay –	2 3 4 5 6 7 8 9 10 11 12 13	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not
2 3 4 5 6 7 8 9 10 11 12 13 14	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to	2 3 4 5 6 7 8 9 10 11 12 13 14	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with – you remember the criticism I was meting out to the police	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that. So does that mean then that Lieutenant Baloyi and another
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with – you remember the criticism I was meting out to the police to say that they did not treat the strikers in the same way	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that. So does that mean then that Lieutenant Baloyi and another policeman were airlifted?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with – you remember the criticism I was meting out to the police to say that they did not treat the strikers in the same way as they treated their own wounded or deceased?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or I'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that. So does that mean then that Lieutenant Baloyi and another policeman were airlifted? GENERAL NAIDOO: No, Chair. Lieutenant
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with – you remember the criticism I was meting out to the police to say that they did not treat the strikers in the same way as they treated their own wounded or deceased? GENERAL NAIDOO: I remember.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or 1'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that. So does that mean then that Lieutenant Baloyi and another policeman were airlifted? GENERAL NAIDOO: No, Chair. Lieutenant Baloyi was airlifted.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	thing to another for a few minutes. The first one relates to the topic that we concluded last time about the so-called sub-quality intelligence. I just wanted to ask you, is it my correct understanding that at the meeting of the 13th where there was National Commissioner, Brigadier Engelbrecht, and people like that, that there was a complaint or a criticism of the quality of intelligence by some of the senior people? GENERAL NAIDOO: Chair yes, there was a discussion about the lack, or the level of intelligence that was required and was not available. MR MPOFU: Okay – GENERAL NAIDOO: Hence the decision to enhance the capacity that was deployed there, yes. MR MPOFU: Okay, fine. Thank you very much. And then there was an issue that we, you and I were debating on the first day of the cross-examination and I couldn't find the actual reference and that had to do with – you remember the criticism I was meting out to the police to say that they did not treat the strikers in the same way as they treated their own wounded or deceased?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	who was transported to the Andrew Saffy Hospital and he died there. There was still another member that was on the scene. MR MPOFU: Ja, well whichever one, but was the body of a deceased policeman taken to the hospital? CHAIRPERSON: No Mr Mpofu, that's not what he says. What he says is there was one policeman killed on the scenes. There was another policeman who was seriously injured. MR MPOFU: Yes. CHAIRPERSON: There were two who were injured there, but one of them was seriously injured and he was taken to hospital, but he died after being – or 1'm not sure if it's after or while being transported to the hospital, and it was the body of that policeman, the one who didn't die on the scene but died after he was taken away from the scene that he is referring to in paragraph 28. MR MPOFU: Yes, okay I understand that. So does that mean then that Lieutenant Baloyi and another policeman were airlifted? GENERAL NAIDOO: No, Chair. Lieutenant Baloyi was airlifted.

1	Page 25053 understand that this member that was transferred to,	1	Page 25055 killed and a third was seriously injured and airlifted to
2	transported to the Andrew Saffy Hospital was transported by	2	Pretoria. We then visited the mine hospital where we
3	his unit commander Colonel Merafe in a police vehicle.	3	viewed the body of the deceased member who was hacked to
4	That's the way I understand it.	4	death." That's the passage that –
5	MR MPOFU: By road?	5	GENERAL NAIDOO: It's 28.
6	GENERAL NAIDOO: By road, Chair.	6	CHAIRPERSON: - Mr Mpofu is referring to.
7	MR MPOFU: Okay, alright, understand.	7	Now in your later statement where you amplified some of the
8	Okay, then the next of those quick issues has to do with –	, 8	things that you had said earlier, which is exhibit JJJ108,
9	yes, I also, I think it's still paragraph 28, I also	9	one sees that you added at the end of 28 a passage that is
10	criticised you of not mentioning the dead miners in one of	10	not in your earlier statement. That's the point I think
11	your statements. You remember that?	11	that Mr –
12	GENERAL NAIDOO: I do, Chair.	12	MR MPOFU: Yes.
13	MR MPOFU: Ja, and you contested that	13	CHAIRPERSON: - Mpofu is referring to.
14	statement, correct?	14	GENERAL NAIDOO: Okay, Chair, yes.
15	GENERAL NAIDOO: Chair, what I indicated	15	MR MPOFU: Agreed?
16	that I wrote my statement as the information as I became	16	CHAIRPERSON: And also if one goes to
17	aware of it, I did mention the miners later on in paragraph	17	your paragraph 25, now that's the counterpart of the
18	35, yes.	18	passage that I read from your first statement, the relevant
19	MR MPOFU: Of the subsequent statement.	19	sentence is, ends with the words "and some police personnel
20	You did not mention them in the original statement of	20	had been killed," and then you then added the clause "and
21	November 2012.	21	there were other unspecified casualties among the
22	GENERAL NAIDOO: No Chair, that's not	22	protesters as well," in paragraph 25. So what Mr Mpofu is
23	correct, because it's exactly the same words that I used in	23	saying to you is that if one compares your paragraph 25 in
24	my original statement which I had paragraphed in the	24	your new statement and your paragraph 28 one sees you've
25	consolidated statement. I think we did deal with that	25	now inserted references to the deceased mineworkers which
	Page 25054		Page 25056
1	matter on Friday, I think it was.	1	had not appeared in the earlier statement.
2	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're	2	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair.
2 3	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the	2 3	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's
2 3 4	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now?	2 3 4	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct?
2 3 4 5	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes.	2 3 4 5	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair.
2 3 4 5 6	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about	2 3 4 5 6	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now
2 3 4 5 6 7	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were	2 3 4 5 6 7	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would
2 3 4 5 6 7 8	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other	2 3 4 5 6 7 8	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on?
2 3 4 5 6 7 8 9	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their	2 3 4 5 6 7 8 9	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank
2 3 4 5 6 7 8 9 10	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention	2 3 4 5 6 7 8 9 10	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want
2 3 4 5 6 7 8 9 10 11	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement.	2 3 4 5 6 7 8 9 10 11	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness
2 3 4 5 6 7 8 9 10	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention	2 3 4 5 6 7 8 9 10 11 12	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off,
2 3 4 5 6 7 8 9 10 11 12	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just	2 3 4 5 6 7 8 9 10 11	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay,
2 3 4 5 6 7 8 9 10 11 12 13	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: GENERAL NAIDOO: Sorry Chair, let me just check. Sorry Chair, let me just	2 3 4 5 6 7 8 9 10 11 12 13	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one
2 3 4 5 6 7 8 9 10 11 12 13 14	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible]	2 3 4 5 6 7 8 9 10 11 12 13 14	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you	2 3 4 5 6 7 8 9 10 11 12 13 14 15	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside Potchefstroom the Provincial Commissioner received a call	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and hundreds of policemen were simply inadequate, 10 minutes
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside Potchefstroom the Provincial Commissioner received a call that the members under the command of Major General Mpembe	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and hundreds of policemen were simply inadequate, 10 minutes here –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside Potchefstroom the Provincial Commissioner received a call that the members under the command of Major General Mpembe who were left at Marikana were attacked by the miners and some police personnel had been killed. We immediately turned around and returned to Marikana," and if one goes on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and hundreds of policemen were simply inadequate, 10 minutes here – CHAIRPERSON: You're referring now to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside Potchefstroom the Provincial Commissioner received a call that the members under the command of Major General Mpembe who were left at Marikana were attacked by the miners and some police personnel had been killed. We immediately turned around and returned to Marikana," and if one goes on in that paragraph, three lines from the end of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and hundreds of policemen were simply inadequate, 10 minutes here – CHAIRPERSON: You're referring now to the briefing at 2:30 obviously – MR MPOFU: Yes, on the 16th. CHAIRPERSON: - on the Thursday
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	matter on Friday, I think it was. MR MPOFU: Okay sorry, I think we're speaking at cross purposes. Remember the paragraph 28, the one that I just read to you now? GENERAL NAIDOO: Yes. MR MPOFU: Ja, there after talking about the policeman who was hacked to death you say, "We were also informed that there were also about three other individuals who were killed in the encounter and their bodies were still on the scene." That you did not mention in your original statement. GENERAL NAIDOO: Sorry Chair, let me just check. CHAIRPERSON: [Microphone off, inaudible] compare paragraph 25 in your second statement to what you say in page 2 of your first statement, your first statement being exhibit DD, and if you go down, if you go round about line 10, start at line 9, "Just as we were outside Potchefstroom the Provincial Commissioner received a call that the members under the command of Major General Mpembe who were left at Marikana were attacked by the miners and some police personnel had been killed. We immediately turned around and returned to Marikana," and if one goes on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	had not appeared in the earlier statement. GENERAL NAIDOO: Of course, Chair. CHAIRPERSON: Now that's the point he's busy with, and he is correct? GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: Alright. So Mr Mpofu, now that I've cleared the path through the bush for you, would you like to carry on? MR MPOFU: Thank you, Chairperson. Thank you, General. Ja, then the other quick issue that I want to deal with is just – and I think another witness clarified this, but just for the purposes of rounding off, am I correct in my understanding that the briefings – okay, you don't have to, well, just to give you background; one of the criticisms that we will give, we have indicated we will give at the end of the case is that for the size and importance of an operation such as this one the times that were allowed for the briefings of these hundreds and hundreds of policemen were simply inadequate, 10 minutes here – CHAIRPERSON: You're referring now to the briefing at 2:30 obviously – MR MPOFU: Yes, on the 16th.

1	Page 25057 MR MPOFU: That's correct, Chairperson,	1	Page 25059 GENERAL NAIDOO: That's correct, the
2	yes. You know what I'm talking about? I'm now talking	2	commanders attended the briefing with me so that we cut the
3	about Colonel, the briefings which were sparked by Colonel		communication chain short.
4	Scott and continued onwards.	4	MR MPOFU: Yes, and was that also
5	GENERAL NAIDOO: Of course, Chair.	5	motivated by the fact that there was inadequate time?
6	MR MPOFU: Yes, so I'm asking you this	6	GENERAL NAIDOO: No Chair, because the
7	question in that context. The –	7	briefing was held at forward holding area 1 and all the
, 8	GENERAL NAIDOO: Sorry, the question?	8	commanders on, who fell under me were there, so it was just
9	MR MPOFU: Sorry, General?	9	a practical arrangement.
10	GENERAL NAIDOO: Sorry, no okay, I'm	10	MR MPOFU: Okay, no that makes sense.
11	waiting for the question.	11	Ja, you were hosting the briefing as it were.
12	MR MPOFU: Okay, yes. Now the first	12	GENERAL NAIDOO: That's correct, Chair.
13	thing I want you to clarify for the Commission is that	13	MR MPOFU: Thank you. Okay, right. Then
14	there were effectively three sets of briefings that were	14	were you aware of the barbed wire that was supplied by
15	expected to occur in that short space of time, and let me	15	Lonmin?
16	just explain what I mean by that. There was the briefing	16	GENERAL NAIDOO: I became aware of it,
17	by Scott to people like you, the senior command.	17	yes.
18	GENERAL NAIDOO: Okay.	18	MR MPOFU: Yes, okay. Then the next
19	MR MPOFU: And then you would go and	19	issue is about, round about the, or when you were involved
20	brief your section commanders, if I'm using the correct	20	in that shootout - let's call it that – you said that
21	term, that's the second set of briefing, and then they	21	members of the NIU made an advance in order to engage the,
22	would go and brief their people. Let's put it like that.	22	I suppose the protesters, correct?
23	Is that correct?	23	GENERAL NAIDOO: Chair no, I'm not sure
24	GENERAL NAIDOO: Chair, I think we dealt	24	which one because the NIU had a couple of advances. Is it
25	with this during the original cross-exam. The briefing	25	after I joined the NIU?
	5		
	Page 25058		Page 25060
1	took place as follows; yes, Colonel Scott came and briefed	1	MR MPOFU: Yes. Or at any time did they
2	took place as follows; yes, Colonel Scott came and briefed the commanders.	2	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters?
2 3	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right.	2 3	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was
2 3 4	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the	2 3 4	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU
2 3 4 5	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part	2 3 4 5	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with
2 3 4 5 6	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing	2 3 4 5 6	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes.
2 3 4 5 6 7	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel	2 3 4 5 6 7	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct
2 3 4 5 6 7 8	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody,	2 3 4 5 6 7 8	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940
2 3 4 5 6 7 8 9	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members.	2 3 4 5 6 7 8 9	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41.
2 3 4 5 6 7 8 9 10	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay –	2 3 4 5 6 7 8 9 10	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on
2 3 4 5 6 7 8 9	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there	2 3 4 5 6 7 8 9	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen.
2 3 4 5 6 7 8 9 10 11	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay –	2 3 4 5 6 7 8 9 10 11	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen.
2 3 4 5 6 7 8 9 10 11 12	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders –	2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line?
2 3 4 5 6 7 8 9 10 11 12 13	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders –	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line?
2 3 4 5 6 7 8 9 10 11 12 13 14	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right.	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU:Yes. Or at any time did theymake an advance to engage the protesters?GENERAL NAIDOO:Chair, there wasstatements and evidence was led here where the NIUindicated that they initially advanced and engaged withprotesters, yes.MR MPOFU:Let me just get the correctreference.Ja alright, it's page 22940, day 189, 22940going to 41.CHAIRPERSON:Yes, yes, we have 940 onthe screen.MR MPOFU:Yes.CHAIRPERSON:Line?MR MPOFU:To give it context,Chairperson, we'll start at, let's start at line 8, or 6.You said there were approximately two or three people whofired.GENERAL NAIDOO:Okay, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command. GENERAL NAIDOO: Yes, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired. GENERAL NAIDOO: Okay, Chair. MR MPOFU: Then Mr Semenya says, "How
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Yes, okay, that might pertain	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired. GENERAL NAIDOO: Okay, Chair. MR MPOFU: Then Mr Semenya says, "How much fire do they discharge in that direction, if you can?"
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Yes, okay, that might pertain to your unit. You may or may not know if in respect of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired. GENERAL NAIDOO: Okay, Chair. MR MPOFU: Then Mr Semenya says, "How much fire do they discharge in that direction, if you can?"
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Yes, okay, that might pertain to your unit. You may or may not know if in respect of other people there were three briefings because one of the witnesses, I can't remember which one, I think it was Calitz admitted that there were three sets of briefings,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired. GENERAL NAIDOO: Okay, Chair. MR MPOFU: Then Mr Semenya says, "How much fire do they discharge in that direction, if you can?" "I would say more than five each. I can't remember the exact number because they were using a rifle." Mr Semenya, "Using?" and you say, "They were using an R5 rifle."
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	took place as follows; yes, Colonel Scott came and briefed the commanders. MR MPOFU: Right. GENERAL NAIDOO: And as far as the commanders that were under my command, they were all part of the briefing. So I did not go and attend that briefing on my own. So Colonel Scott briefed us all. Colonel Gaffley was there, Colonel Modiba was there, K9, everybody, and then they in turn went back and briefed their members. MR MPOFU: Okay – CHAIRPERSON: What you're saying, there were effectively two briefings, the Scott briefing of the commanders – GENERAL NAIDOO: That's right. CHAIRPERSON: - and then the briefing by the commanders of the people who were – GENERAL NAIDOO: That's correct. CHAIRPERSON: - under their command. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Yes, okay, that might pertain to your unit. You may or may not know if in respect of other people there were three briefings because one of the witnesses, I can't remember which one, I think it was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Yes. Or at any time did they make an advance to engage the protesters? GENERAL NAIDOO: Chair, there was statements and evidence was led here where the NIU indicated that they initially advanced and engaged with protesters, yes. MR MPOFU: Let me just get the correct reference. Ja alright, it's page 22940, day 189, 22940 going to 41. CHAIRPERSON: Yes, yes, we have 940 on the screen. MR MPOFU: Yes. CHAIRPERSON: Line? MR MPOFU: To give it context, Chairperson, we'll start at, let's start at line 8, or 6. You said there were approximately two or three people who fired. GENERAL NAIDOO: Okay, Chair. MR MPOFU: Then Mr Semenya says, "How much fire do they discharge in that direction, if you can?" "I would say more than five each. I can't remember the exact number because they were using a rifle." Mr Semenya, "Using?" and you say, "They were using an R5 rifle."

		1	
1	Page 25061 The question, "And when the NIU line reached the rocks	1	Page 25063 MR MPOFU: Thank you. General, yes now
2	where shots had emanated from do they not find anybody	2	I'm going to deal with – you do understand that I represent
3	there?" Then you say, "No Chair, when the firing occurred,	3	among others the 259 people who were arrested?
4	as soon as our firing stopped the NIU line moved to engage	4	GENERAL NAIDOO: Yes, I do.
5	but there was nobody there to engage, yes Chair." Remember	5	MR MPOFU: And that on top of that I also
6	that?	6	represent the 13 other people who were not arrested at the
7	GENERAL NAIDOO: I remember that, Chair.	7	scene, who were injured and arrested at various hospitals?
8	MR MPOFU: Ja, now the only question I	8	GENERAL NAIDOO: I do.
9	want to ask there is in using those words you meant that	9	MR MPOFU: Yes, which up the total number
9 10	they were moving on to use their R5s obviously?	10	of people I represented in that category was 272, except
10	[11:38] GENERAL NAIDOO: Chair, who? The NIU?	11	two of them are left now, Mr Mpofana and Mr Mabotyana
12	MR MPOFU: Yes.	12	allegedly committed suicide. You are aware of that?
12	GENERAL NAIDOO: Well, I think in that	13	GENERAL NAIDOO: I did read about that in
	evidence I did indicate that there were NIU people that		
14		14 15	the media, yes. MR MPOFU: Yes, and one of the people who
15	used their R5s, yes.		
16	MR MPOFU: With R5s, yes. Yes, that's	16	committed suicide was one of the six people who have met
17 18	what I'm saying. So the tools that they would have used	17	the Commissioners, who had been subpoenaed by the evidence leaders. Just putting that for the record, Chairperson.
	for that "engagement" would have been their R5s? GENERAL NAIDOO: That's correct. Chair.	18	
19 20		19	Now so in that connection I'd like to understand
20	5 5	20 21	the circumstances under which my clients were arrested. GENERAL NAIDOO: Okay.
21	off that point, if somebody were to issue an order to those	21	GENERAL NAIDOO: Okay. MR MPOFU: Would it be fair to say that
22 23	people with R5s to engage they would be meaning that they must shoot them with live ammunition because that's all	22	the police had foreseen, or premeditated the arrests? In
		23 24	other words it was known beforehand that the arrests would
24 25	they had, correct? GENERAL NAIDOO: Chair, engage not	24 25	be made?
25	GENERAL NATOOO. Ghair, engage hor	20	
		1	
	Page 25062		Page 25064
1	Page 25062 necessarily means to use their rifles. Engage would	1	Page 25064 GENERAL NAIDOO: Chair, I think just to
1 2		1 2	
	necessarily means to use their rifles. Engage would		GENERAL NAIDOO: Chair, I think just to
2	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I –	2	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our
2 3	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes.	2 3	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had
2 3 4	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use	2 3 4	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and
2 3 4 5	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage	2 3 4 5	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had
2 3 4 5 6	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles.	2 3 4 5 6	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people
2 3 4 5 6 7	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it?	2 3 4 5 6 7	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms
2 3 4 5 6 7 8	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes.	2 3 4 5 6 7 8	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the
2 3 4 5 6 7 8 9	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now	2 3 4 5 6 7 8 9	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations.
2 3 4 5 6 7 8 9 10	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the
2 3 4 5 6 7 8 9 10 11	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you.	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for
2 3 4 5 6 7 8 9 10 11 12	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests,
2 3 4 5 6 7 8 9 10 11 12 13	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me.	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon?	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the
2 3 4 5 6 7 8 9 10 11 12 13 14 15	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9,	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO:Chair, I think just toexplain the police approach, there was in terms of ourbriefing a gathering of individuals, some of whom haddangerous weapons and they were gathering illegally, andthe, what was communicated to us at 2:30 a decision hadbeen taken to disperse the illegal gathering and peoplethat do not disperse and who fail to lay down their armswould be then arrested and prosecuted, so yes, that was thebasis in terms of what we conducted our operations.MR MPOFU:Okay, and to support thestatement that I make, contingency, or plans were made forwhat is referred to as Canters to effect those arrests,were made before any problem had started, correct?GENERAL NAIDOO:Chair yes, thecontingency plan, logistical arrangements were made forboth the recovery of weapons as well as the possiblearrests of any suspects.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure that, I'm talking about that one, but we did draw them to the attention of the transcribers. I wonder who Ms Matthews was.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you brought emergency medical services one can also say that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure that, I'm talking about that one, but we did draw them to the attention of the transcribers. I wonder who Ms Matthews was. MR MPOFU: Well, I think we'll just have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you brought emergency medical services one can also say that injuries were foreseen, injuries to people?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure that, I'm talking about that one, but we did draw them to the attention of the transcribers. I wonder who Ms Matthews was. MR MPOFU: Well, I think we'll just have to thank Ms Matthews for that correction, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you brought emergency medical services one can also say that injuries were foreseen, injuries to people? GENERAL NAIDOO: Chair, we did testify to that effect, yes. MR MPOFU: Yes, okay, and to the extent
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure that, I'm talking about that one, but we did draw them to the attention of the transcribers. I wonder who Ms Matthews was. MR MPOFU: Well, I think we'll just have to thank Ms Matthews for that correction, yes. CHAIRPERSON: That was Mr Semenya perhaps	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you brought emergency medical services one can also say that injuries were foreseen, injuries to people? GENERAL NAIDOO: Chair, we did testify to that effect, yes. MR MPOFU: Yes, okay, and to the extent that mortuary vans were brought you could say that deaths
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	necessarily means to use their rifles. Engage would probably mean to face and confront, as far as I – MR MPOFU: Yes. GENERAL NAIDOO: A specific order to use the rifles would have been to fire or to shoot, but engage not necessarily means that they should use their rifles. CHAIRPERSON: But could include it? GENERAL NAIDOO: It could, yes. MR MPOFU: Yes. Thank you. Right, now let's go to the – okay, those are the small issues that I wanted to round up with you. MR SEMENYA SC: Chair, in the meantime Ms Matthews does not refer to me. MR MPOFU: Pardon? MR SEMENYA SC: Ms Matthews on line 9, that's the reference to me. CHAIRPERSON: Yes, we had noticed that there were errors in the transcription and I'm not sure that, I'm talking about that one, but we did draw them to the attention of the transcribers. I wonder who Ms Matthews was. MR MPOFU: Well, I think we'll just have to thank Ms Matthews for that correction, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: Chair, I think just to explain the police approach, there was in terms of our briefing a gathering of individuals, some of whom had dangerous weapons and they were gathering illegally, and the, what was communicated to us at 2:30 a decision had been taken to disperse the illegal gathering and people that do not disperse and who fail to lay down their arms would be then arrested and prosecuted, so yes, that was the basis in terms of what we conducted our operations. MR MPOFU: Okay, and to support the statement that I make, contingency, or plans were made for what is referred to as Canters to effect those arrests, were made before any problem had started, correct? GENERAL NAIDOO: Chair yes, the contingency plan, logistical arrangements were made for both the recovery of weapons as well as the possible arrests of any suspects. MR MPOFU: And to the extent that you brought emergency medical services one can also say that injuries were foreseen, injuries to people? GENERAL NAIDOO: Chair, we did testify to that effect, yes. MR MPOFU: Yes, okay, and to the extent

1	Page 25065 GENERAL NAIDOO: Chair, as I testified, I	1	Page 25067 MR MPOFU: Thanks.
2	was not aware of the mortuary vans at that stage –	2	CHAIRPERSON: Well, either deaths or
3	MR MPOFU: Ja, you –	3	possible deaths.
4	GENERAL NAIDOO: And the circumstances	4	GENERAL NAIDOO: No, it's deaths, Chair,
5	around that, so -	5	not possible. I said that is possible.
6	MR MPOFU: Sorry. Ja, I'm sorry, when I	6	CHAIRPERSON: Yes, I said possible.
7	say "you" I don't mean you personally. SAPS, to the extent	7	MR MPOFU: Now let's start then, as I was
8	that SAPS brought mortuary vans it would be fair to say	8	saying then my clients would like to understand the
9	that they foresaw deaths?	9	circumstances of their arrests. Let's start firstly with
10	GENERAL NAIDOO: Chair, I'm not sure what	10	the people, the arrests that you personally effected.
11	the circumstances around the mortuary vans, but yes,	11	GENERAL NAIDOO: Yes, Chair.
12	mortuary vans are normally utilised for deceased.	12	MR MPOFU: Do I understand you to be
13	CHAIRPERSON: As far as I can recall the	13	saying that you came across about three strikers hiding in
14	evidence is four mortuary vans were asked for and one was	14	the grass or something like that?
15	sent, and clearly the person who asked for the mortuary	15	GENERAL NAIDOO: Chair, I said that I
16	vans anticipated there would be deaths – I mustn't say	16	came across personally one striker together with a member
17	would –	17	of the K9, and there were other members of the K9 who
18	MR MPOFU: No, fair enough.	18	arrested another two strikers. I can't testify to the
19	CHAIRPERSON: - anticipated there might	19	exact circumstances of their arrests, but in that sweep
20	be deaths, and of course it's not clear, because I don't	20	three miners were arrested, yes.
21	think the person concerned has given evidence, whether it	21	MR MPOFU: And they were hiding in the
22	was solely the deaths of miners, the possible deaths of	22	grass?
23	miners that was foreseen, or it was also considered that	23	GENERAL NAIDOO: The one that we
24	members of the police might also be killed.	24	arrested, yes.
25	MR MPOFU: Ja, well I didn't say – that's	25	MR MPOFU: What does that mean? I mean
	Page 25066		Page 25068
1	why I said "persons," Chairperson. Police are also	1	how –
2	persons.	2	GENERAL NAIDOO: He was – Chair, he was,
3	GENERAL NAIDOO: Thank you.	3	as I indicated lying low in the grass and as we approached
4	MR SEMENYA SC: Chair, for the record, I	4	he woke up.
5	think the Chair said one was sent. I thought it was on	5	CHAIRPERSON: Did I hear you say "woke
6	standby.	6	up"?
7	CHAIRPERSON: Sorry?	7	GENERAL NAIDOO: Sit up.
8	MR SEMENYA SC: It was on standby. The	8	CHAIRPERSON: Stood up?
9	request was to have it on standby.	9	GENERAL NAIDOO: Yes.
10	CHAIRPERSON: It wasn't actually sent, it	10	CHAIRPERSON: I mean you don't know if he
11	was on standby. Yes, I see. But anyway, four were asked	11	was asleep.
12	for, one was made available either - and we've heard on	12	GENERAL NAIDOO: No, no, not –
13	standby. That's why I said the person who asked for them	13	CHAIRPERSON: Unlikely that he was.
14	obviously thought there might be deaths.	14	GENERAL NAIDOO: No, not likely.
15	MR MPOFU: Yes.	15	CHAIRPERSON: So when you say, it was you
16	CHAIRPERSON: Whether it was solely	16	and Warrant Officer Harmse, is that right?
17	deaths of miners or also – mineworkers, or also possibly	17	GENERAL NAIDOO: No, it was Sergeant
18	deaths of police members is also a matter that may still	18	Brazier.
19	have to be investigated insofar as it's relevant.	19	CHAIRPERSON: Sergeant?
20	MR MPOFU: Yes, and that's why I asked	20	GENERAL NAIDOO: Brazier.
21	the question in a neutral fashion. So to the extent that	21	CHAIRPERSON: Sergeant Brazier?
22	somebody from SAPS ordered or asked for mortuary vans those	22	GENERAL NAIDOO: That's right.
23	people, or that person foresaw the deaths to people,	23	CHAIRPERSON: You and Sergeant Brazier,
24	correct?	24	were you at that stage walking in a northerly direction on
2		0-	
25	GENERAL NAIDOO: That's possible, yes.	25	the eastern side of the koppie?

			
	Page 25069		Page 25071
1	GENERAL NAIDOO: We were walking on the	1	Brazier did tell him. I think I'm not being specific or
2	southern side of the koppie.	2	verbatim as to what he said. So he did indicate to him,
3	CHAIRPERSON: Oh, still on the southern	3	you know, drop down your weapons, and why have you got the
4	side?	4	weapons, and come, we're going to arrest you for this
5	GENERAL NAIDOO: That's correct, Chair.	5	thing, etcetera, and then he, Sergeant Brazier loaded him
6	CHAIRPERSON: I see. I see, you hadn't	6	into the police vehicle from there. So I broadly just
7	reached actually the koppie yet?	7	indicate what I recollect in terms of that arrest, yes.
8	GENERAL NAIDOO: No, no, we were far away	8	MR MPOFU: Maybe the Chairperson will
9	from the koppie, just going in the direction –	9	follow up, but let me just put this to you –
10	CHAIRPERSON: And then there was someone,	10	GENERAL NAIDOO: Okay.
11	at least someone in the grass and as you approached he	11	MR MPOFU: - that none of the people I
12	stood up?	12	represent were ever told what they were arrested for.
13	GENERAL NAIDOO: He stood up, yes.	13	That's so you can either, and that would include the ones
14	CHAIRPERSON: So presumably – yes, I see,	14	that you are talking about. I do understand that you say
15	and then you arrested him.	15	you can't recall correctly, but I'm now putting to you
16	GENERAL NAIDOO: That's correct, Chair.	16	positively that they were not told.
17	CHAIRPERSON: Did you arrest him or	17	GENERAL NAIDOO: Chair, I think that
18	Sergeant Brazier?	18	would be unlikely; in addition to these three, I'm talking
19	GENERAL NAIDOO: Well, we both did. I	19	about the larger number, they were taken to a processing
20	did assist him in terms of the fact that Sergeant Brazier	20	centre. They were taken to a place where they were
21	searched him while I covered him, etcetera.	21	processed in terms of, you know, informing them of their
22	CHAIRPERSON: Now in terms of the	22	rights and things like that. So it's unlikely –
23	Criminal Procedure Act it's necessary to inform the person	23	CHAIRPERSON: Aren't arrested persons
24	being arrested of the reason for the arrest.	24	supposed to be told at the time of their arrests what the
25	GENERAL NAIDOO: Yes.	25	charge is on which they're being arrested?
	Page 25070		Page 25072
1	Page 25070 CHAIRPERSON: So did you comply with that	1	Page 25072 GENERAL NAIDOO: Yes, Chair.
1 2		1 2	
	CHAIRPERSON: So did you comply with that		GENERAL NAIDOO: Yes, Chair.
2	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act?	2	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the
2 3	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could	2 3	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't
2 3 4	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing	2 3 4	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but
2 3 4 5	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,	2 3 4 5	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –
2 3 4 5 6	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a –	2 3 4 5 6	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it –
2 3 4 5 6 7	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell him	2 3 4 5 6 7	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't say
2 3 4 5 6 7 8	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for.	2 3 4 5 6 7 8	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest
2 3 4 5 6 7 8 9	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.	2 3 4 5 6 7 8 9	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then.
2 3 4 5 6 7 8 9 10	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the section	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I –
2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: That's what the section says.	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.
2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.GENERAL NAIDOO:Ja.	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated that
2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.GENERAL NAIDOO:GENERAL NAIDOO:Ja.CHAIRPERSON:It's no good saying "What	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,
2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for:GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.GENERAL NAIDOO:Ja.CHAIRPERSON:GENERAL NAIDOO:Ja.CHAIRPERSON:It's no good saying "Whatare you doing?"	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,you know, removing his weapons, etcetera, and I tried to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for:GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.GENERAL NAIDOO:Ja.CHAIRPERSON:CHAIRPERSON:It's no good saying "Whatare you doing?"No, of course –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,you know, removing his weapons, etcetera, and I tried toget the gist of what the conversation was about and he did
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.GENERAL NAIDOO:Ja.CHAIRPERSON:CHAIRPERSON:It's no good saying "Whatare you doing?"No, of course –CHAIRPERSON:You've got to tell him whyyou're arresting him. You must tell him what the chargeis -	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I – CHAIRPERSON: And – sorry, carry on. GENERAL NAIDOO: So as I indicated that Sergeant Brazier did have a conversation with him whilst, you know, removing his weapons, etcetera, and I tried to get the gist of what the conversation was about and he did indicate now come with me, I'm taking you to the van, I'm
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:So did you comply with thatprovision in the Criminal Procedure Act?GENERAL NAIDOO:Well, as far as I couldremember Sergeant Brazier was asking him what are you doinghere, put down your arms, and we're going to arrest you,and then we took – he had a knife and a –CHAIRPERSON:You're supposed to tell himwhat you're arresting him for.GENERAL NAIDOO:Yes.CHAIRPERSON:That's what the sectionsays.CHAIRPERSON:GENERAL NAIDOO:Ja.CHAIRPERSON:It's no good saying "Whatare you doing?"GENERAL NAIDOO:GENERAL NAIDOO:No, of course –CHAIRPERSON:You've got to tell him whyyou're arresting him. You must tell him what the chargeis -GENERAL NAIDOO:GENERAL NAIDOO:Of course.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I – CHAIRPERSON: And – sorry, carry on. GENERAL NAIDOO: So as I indicated that Sergeant Brazier did have a conversation with him whilst, you know, removing his weapons, etcetera, and I tried to get the gist of what the conversation was about and he did indicate now come with me, I'm taking you to the van, I'm arresting you for these things. We asked him, "What are you doing with these weapons?" and things like that. So I'm trying to summarise what Sergeant Brazier said –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I – CHAIRPERSON: And – sorry, carry on. GENERAL NAIDOO: So as I indicated that Sergeant Brazier did have a conversation with him whilst, you know, removing his weapons, etcetera, and I tried to get the gist of what the conversation was about and he did indicate now come with me, I'm taking you to the van, I'm arresting you for these things. We asked him, "What are you doing with these weapons?" and things like that. So
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being arrested so that he can if necessary do something. Now was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I – CHAIRPERSON: And – sorry, carry on. GENERAL NAIDOO: So as I indicated that Sergeant Brazier did have a conversation with him whilst, you know, removing his weapons, etcetera, and I tried to get the gist of what the conversation was about and he did indicate now come with me, I'm taking you to the van, I'm arresting you for these things. We asked him, "What are you doing with these weapons?" and things like that. So I'm trying to summarise what Sergeant Brazier said – CHAIRPERSON: No, I understand. But Mr Mpofu goes further; he says in the case of all the people
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: So in the case of the person who was arrested by Sergeant Brazier you can't positively say that was done. You say he spoke to him, but I understand maybe if you were some distance away – GENERAL NAIDOO: Chair, yes it – CHAIRPERSON: - that you can't say positively that he was informed in the course of his arrest then. GENERAL NAIDOO: Chair, as I – CHAIRPERSON: And – sorry, carry on. GENERAL NAIDOO: So as I indicated that Sergeant Brazier did have a conversation with him whilst, you know, removing his weapons, etcetera, and I tried to get the gist of what the conversation was about and he did indicate now come with me, I'm taking you to the van, I'm arresting you for these things. We asked him, "What are you doing with these weapons?" and things like that. So I'm trying to summarise what Sergeant Brazier said – CHAIRPERSON: No, I understand. But Mr
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being arrested so that he can if necessary do something. Now was that done? GENERAL NAIDOO: Chair, as I was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,you know, removing his weapons, etcetera, and I tried toget the gist of what the conversation was about and he didindicate now come with me, I'm taking you to the van, I'marresting you for these things.We asked him, "What areyou doing with these weapons?" and things like that.SoI'm trying to summarise what Sergeant Brazier said –CHAIRPERSON:No, I understand. But MrMpofu goes further; he says in the case of all the peoplewho were arrested there not one of them was told at thetime of his arrest what the cause of the arrest was or on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being arrested so that he can if necessary do something. Now was that done? GENERAL NAIDOO: Chair, as I was indicating that Sergeant Brazier was conversing to him. I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,you know, removing his weapons, etcetera, and I tried toget the gist of what the conversation was about and he didindicate now come with me, I'm taking you to the van, I'marresting you for these things.We asked him, "What areyou doing with these weapons?" and things like that.SoI'm trying to summarise what Sergeant Brazier said –CHAIRPERSON:No, I understand. But MrMpofu goes further; he says in the case of all the peoplewho were arrested there not one of them was told at thetime of his arrest what the cause of the arrest was or onwhat charge he was being arrested.Now the follow-up
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: So did you comply with that provision in the Criminal Procedure Act? GENERAL NAIDOO: Well, as far as I could remember Sergeant Brazier was asking him what are you doing here, put down your arms, and we're going to arrest you, and then we took – he had a knife and a – CHAIRPERSON: You're supposed to tell him what you're arresting him for. GENERAL NAIDOO: Yes. CHAIRPERSON: That's what the section says. GENERAL NAIDOO: Ja. CHAIRPERSON: It's no good saying "What are you doing?" GENERAL NAIDOO: No, of course – CHAIRPERSON: You've got to tell him why you're arresting him. You must tell him what the charge is - GENERAL NAIDOO: Of course. CHAIRPERSON: - on which he's being arrested so that he can if necessary do something. Now was that done? GENERAL NAIDOO: Chair, as I was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO:Yes, Chair.CHAIRPERSON:So in the case of theperson who was arrested by Sergeant Brazier you can'tpositively say that was done.You say he spoke to him, butI understand maybe if you were some distance away –GENERAL NAIDOO:Chair, yes it –CHAIRPERSON:- that you can't saypositively that he was informed in the course of his arrestthen.GENERAL NAIDOO:Chair, as I –CHAIRPERSON:And – sorry, carry on.GENERAL NAIDOO:So as I indicated thatSergeant Brazier did have a conversation with him whilst,you know, removing his weapons, etcetera, and I tried toget the gist of what the conversation was about and he didindicate now come with me, I'm taking you to the van, I'marresting you for these things.We asked him, "What areyou doing with these weapons?" and things like that.SoI'm trying to summarise what Sergeant Brazier said –CHAIRPERSON:No, I understand. But MrMpofu goes further; he says in the case of all the peoplewho were arrested there not one of them was told at thetime of his arrest what the cause of the arrest was or on

	Page 25073		Page 25075
1	The follow-up question is are you able from your own	1	put it that way.
2	knowledge to deal with that allegation, or is that	2	MR MPOFU: Yes.
3	something that you perhaps for understandable reasons can't	3	CHAIRPERSON: Because there's no
4	deal with yourself?	4	suggestion that Lonmin had holding cells, but Lonmin did
5	GENERAL NAIDOO: Yes, from my	5	make some facilities, accommodation available for the
6	observation, as I indicated there was even a subsequent	6	processes, according to the evidence, for the processing of
7	process where they were informed of their constitutional	7	the people arrested. But they weren't, they can't be
8	rights, but at the time, let's talk about the bulk of	8	described as Lonmin holding cells –
9	people that were hidden behind the rocks, etcetera, who	9	MR MPOFU: Well, they do have holding
10	subsequently came out. I also I think, I'm not sure in my	10	cells, as it were, Chairperson, but that's what –
11	statement I indicated it, the members were shouting to them	11	CHAIRPERSON: - after taking to holding
12	to drop their weapons and come out without their weapons,	12	cells.
13	we would not harm them. Yes, we would deal with the – so	13	MR MPOFU: Yes.
14	there was continuous communication. The people that were	14	CHAIRPERSON: But anyway, let's get the
15	being arrested knew why they were being confronted. They	15	terminology right –
16	were being told to drop their weapons. There were even few	16	MR MPOFU: Ja, at Shaft number 1.
17	that came out with their weapons still in their hands and	17	CHAIRPERSON: - then we won't have
18	they were, you know, the policemen were shouting, "Drop the	18	objections.
19	weapons. Leave it down there," and then move them to a	19	MR MPOFU: Let's call it Shaft number 1
20	place where they could, so it was quite clear why they were	20	where they were taken, that's step number 4, correct?
21	being arrested and it was being communicated. As I said,	21	GENERAL NAIDOO: Chair, correct.
22	policemen were not only speaking in English; there were a	22	MR MPOFU: Correct?
23	lot of members speaking in the vernacular as well. So if	23	GENERAL NAIDOO: Correct, Chair.
24	during that process it was not clear why they were being	24	MR MPOFU: Ja, now on your version then
25	arrested then –	25	it was only at step number $4 - oh$, and then step number 5
1	Page 25074	1	Page 25076
1	MR SEMENYA SC: Chair, our reading of section 39(2) is that it is either at the time of arrest or	1	they were taken to various police stations, correct? GENERAL NAIDOO: That's correct, Chair.
2	immediately thereafter.	2	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Ja, so it would have been at
3	MR MPOFU: Ja, well let's assume, for the	3 4	step number 5 perhaps that they were informed of the reason
4 5	purposes of this questioning now let's assume that when	4 5	for their arrest?
6	they eventually got to police stations they were told, you	6	GENERAL NAIDOO: No, Chair. What I
7	would accept that they were – let's just check the issue of	_	GENERAL NATOOO. NO, Chair. What I
8			indicated was immediately when they were confronted by the
0		7 8	indicated was immediately when they were confronted by the
	immediacy. So there would be the point at which the people	8	police they were confronted about laying down their weapons
9	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding	8 9	police they were confronted about laying down their weapons and moving to one side and explained to them that they are
9 10	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass.	8 9 10	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's
9 10 11	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair.	8 9 10 11	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really
9 10 11 12	 immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were 	8 9 10 11 12	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen
9 10 11 12 13	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open	8 9 10 11 12 13	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their
9 10 11 12 13 14	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that.	8 9 10 11 12 13 14	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically
9 10 11 12 13 14 15	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair.	8 9 10 11 12 13 14 15	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier
9 10 11 12 13 14 15 16	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they	8 9 10 11 12 13 14 15 16	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person
9 10 11 12 13 14 15 16 17	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans,	8 9 10 11 12 13 14 15 16 17	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what
9 10 11 12 13 14 15 16 17 18	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3.	8 9 10 11 12 13 14 15 16 17 18	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now
9 10 11 12 13 14 15 16 17 18 19	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes.	8 9 10 11 12 13 14 15 16 17 18 19	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera.
9 10 11 12 13 14 15 16 17 18 19 20	<pre>immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes. MR MPOFU: Ja, and then from there then</pre>	8 9 10 11 12 13 14 15 16 17 18 19 20	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera. I did not, I can't give it to you verbatim what he said.
9 10 11 12 13 14 15 16 17 18 19 20 21	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes. MR MPOFU: Ja, and then from there then they were transported to Lonmin holding cells, or I don't	8 9 10 11 12 13 14 15 16 17 18 19 20 21	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera. I did not, I can't give it to you verbatim what he said. So at that stage the people that were being arrested knew
9 10 11 12 13 14 15 16 17 18 19 20 21 22	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes. MR MPOFU: Ja, and then from there then they were transported to Lonmin holding cells, or I don't know what you call it, to some place at Lonmin, at Number	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera. I did not, I can't give it to you verbatim what he said. So at that stage the people that were being arrested knew that they were in possession of weapons that they should
 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 	<pre>immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes. MR MPOFU: Ja, and then from there then they were transported to Lonmin holding cells, or I don't know what you call it, to some place at Lonmin, at Number 1, Shaft number 1.</pre>	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera. I did not, I can't give it to you verbatim what he said. So at that stage the people that were being arrested knew that they were in possession of weapons that they should not be in possession of, and the police were putting them
 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 	immediacy. So there would be the point at which the people were arrested, right? For example those people hiding among the grass. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were gathered in their large number outside the, in that open arresting area, let's call it that. GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, and then they were GENERAL NAIDOO: Yes, Chair. MR MPOFU: That's step 2, and after they were gathered there then they were loaded into the vans, step 3. GENERAL NAIDOO: Yes. MR MPOFU: Ja, and then from there then they were transported to Lonmin holding cells, or I don't know what you call it, to some place at Lonmin, at Number	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	police they were confronted about laying down their weapons and moving to one side and explained to them that they are going to be placed on one side out of the scene. That's where they were placed in the larger area. I can't really say what was being said in vernacular, but the policemen were communicating to them that they must put down their weapons and things like that. I spoke about specifically the arrest where I was present when Sergeant Brazier executed the arrest and he also communicated to the person that he was in possession of weapons, to drop it, why, what was he doing with the weapons, and he indicated to him now he's going to be placing him in the police van, etcetera. I did not, I can't give it to you verbatim what he said. So at that stage the people that were being arrested knew that they were in possession of weapons that they should

	Page 25077		Page 25079
1	distance away to the processing centre where they were	1	he was arrested was because he was in possession of those
2	processed by the detectives.	2	two weapons?
3	[11:58] And there they were given their constitutional	3	GENERAL NAIDOO: He was, as I indicated
4	rights and the whole process and from that processing	4	before I started giving these answers, there was a
5	centre then they were detained at the various police	5	gathering of people with dangerous weapons, it was an
6	stations, I think just to outline the process as given.	6	illegal gathering therefore and the whole intention of the
7	MR MPOFU: Okay. So you can only be sure	7	dispersal was to disperse and to disarm and arrest people
8	that they were told the reason for their arrest at stage	8	that failed to disarm or disperse.
9	number 4, at the Lonmin shaft number 1.	9	MR MPOFU: No, General, you can't have it
10	GENERAL NAIDOO: Chair, I think that is	10	both ways. So despite the fact that there was this, what
11	where the formal process is, where they are given a	11	you call illegal gathering, which we'll leave later for
12	document of their constitutional rights, yes.	12	argument, the decision was to let those participants of the
13	MR MPOFU: Yes. And if their evidence is	13	illegal gathering go home if they were not armed, correct?
14	that that happened more than two or three hours after their	14	GENERAL NAIDOO: That's correct, Chair.
15	arrest, you can hardly describe that as immediately after	15	MR MPOFU: Ja, so then your answer to my
16	their arrest, correct?	16	question must be yes, that the reason why this particular
17	GENERAL NAIDOO: Chair, as I indicated,	17	gentleman was arrested was because he had those two
18	during the process of arrest, it was a large number of	18	weapons?
19	people and they were being told about putting down their	19	GENERAL NAIDOO: That's correct, Chair.
20	weapons and they were being arrested. So I don't know if	20	MR MPOFU: Yes. Now, where are the two
21	the inference from there, as I said, I can't verbatim	21	weapons?
22	indicate what was being said but they were being told to	22	GENERAL NAIDOO: Chair, I think this was
23	put down their weapons and to move to the side where they	23	the evidence that was led. The weapons have all been
24	were being arrested.	24	transported to the police station.
25	MR MPOFU: Ja. No, General, I'm sorry to	25	MR MPOFU: So –
-		-	
	Page 25078		Page 25080
1	Page 25078 belabour this. It's one thing to say they knew, as you	1	Page 25080 CHAIRPERSON: Is it possible to identify
1 2	6	1 2	
	belabour this. It's one thing to say they knew, as you		CHAIRPERSON: Is it possible to identify
2	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone	2	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the
2 3	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must	2 3	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've
2 3 4	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing	2 3 4	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described?
2 3 4 5	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting	2 3 4 5	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can
2 3 4 5 6	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference?	2 3 4 5 6	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair.
2 3 4 5 6 7	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm	2 3 4 5 6 7	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the
2 3 4 5 6 7 8	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them	2 3 4 5 6 7 8	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the
2 3 4 5 6 7 8 9	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they	2 3 4 5 6 7 8 9	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people,
2 3 4 5 6 7 8 9 10	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is	2 3 4 5 6 7 8 9 10	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that
2 3 4 5 6 7 8 9 10 11	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes.	2 3 4 5 6 7 8 9 10 11	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual?
2 3 4 5 6 7 8 9 10 11 12	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this	2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be
2 3 4 5 6 7 8 9 10 11 12 13	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? <u>GENERAL NAIDOO:</u> Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. <u>MR MPOFU:</u> Yes. And the person, this person, the one in the arrest that you were involved –	2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of
2 3 4 5 6 7 8 9 10 11 12 13 14	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and refused to drop those weapons and also those who did not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible. COMMISSIONER HEMRAJ: Can I just
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and refused to drop those weapons and also those who did not disperse would be arrested and acting in terms of that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible. COMMISSIONER HEMRAJ: Can I just understand, how were these exhibits then entered in the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and refused to drop those weapons and also those who did not disperse would be arrested and acting in terms of that instruction the one individual was arrested. He was, as I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible. COMMISSIONER HEMRAJ: Can I just understand, how were these exhibits then entered in the SAP13s, as just having been recovered from a mass of people
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and refused to drop those weapons and also those who did not disperse would be arrested and acting in terms of that instruction the one individual was arrested. He was, as I indicated, arrested with two weapons.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible. COMMISSIONER HEMRAJ: Can I just understand, how were these exhibits then entered in the SAP13s, as just having been recovered from a mass of people or what was the entry?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	belabour this. It's one thing to say they knew, as you correctly said, they knew as you say, so if I shoot someone and the police come and arrest me I must know that it must have something to do with that but it's a different thing for me to be told, you are now being arrested for shooting of so-and-so. Do you accept the difference? GENERAL NAIDOO: Chair, that is why I'm saying, as most of the members that were speaking to them were speaking vernacular, I can't verbatim say what they were communicating but I understand what the counsel is saying and accept this, yes. MR MPOFU: Yes. And the person, this person, the one in the arrest that you were involved – GENERAL NAIDOO: Yes, Chair. MR MPOFU: Why was he arrested? GENERAL NAIDOO: Chair, as I indicated to you, the instructions in terms of dispersal was that people that dispersed will drop their weapons and disperse, will not be arrested and would not be stopped in any way. People who were still in possession of their weapons and refused to drop those weapons and also those who did not disperse would be arrested and acting in terms of that instruction the one individual was arrested. He was, as I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: Is it possible to identify the weapons to which you are referring which were in the possession of the person who was arrested as you've described? GENERAL NAIDOO: I'm not sure. We can check with Sergeant Brazier if he can remember, yes, Chair. MR MPOFU: Well, to your knowledge as the senior person who was there, is the answer to what the Chairperson is saying in relation to all those people, would it be possible to identify specific weapons in that pile of weapons that was on the site with any individual? GENERAL NAIDOO: Chair, it would be difficult. As I indicated it was a mass arrest. A lot of the people were, as they were coming out, were forced to abandon their weapons, et cetera, so yes, it would be very difficult. MR MPOFU: It would be impossible, would you agree? GENERAL NAIDOO: Not in all cases. In some cases it might be possible. COMMISSIONER HEMRAJ: Can I just understand, how were these exhibits then entered in the SAP13s, as just having been recovered from a mass of people

1	Page 25081 we can check with the crime scene people how they processed	1	Page 25083 MR MPOFU: With their hands up.
2	and entered it, yes.	2	GENERAL NAIDOO: Yes, Chair.
2	COMMISSIONER HEMRAJ: Because won't that	2	MR MPOFU: And they were taken to the,
	be an indication of whom they were recovered from? Won't	4	what I've described as the arresting area, correct?
4	-	-	5
5	there be the CAS number that relates to that arrest? Won't	5	GENERAL NAIDOO: That's correct, Chair.
6	that give us some indication?	6	MR MPOFU: And they were tied down or not
7	GENERAL NAIDOO: Chair, ja, I suppose it	7	tied down, asked to put their hands to their backs and face
8	would have been linked to the dockets and their arrest at	8	down for about an hour or so and then later they were put
9	scene 2, yes.	9	onto the van.
10	MR MPOFU: Well, I can assist you again.	10	GENERAL NAIDOO: Chair, I think that was
11	In the documents of the criminal cases there's not a single	11	the process where they were being searched for any weapons
12	person who has been linked to a single of those arms. So,	12	on their person, yes.
13	and I venture to say to you that is because in the manner	13	MR MPOFU: Ja. And this is exactly the
14	in which you've described the arrests having been done, it	14	point, here were people who were told, come out, leave your
15	would have been impossible to do that exercise.	15	weapons there and indeed they come up, on your version,
16	CHAIRPERSON: Do you wish to comment on	16	with their hands up and yet they were still arrested. Why
17	that?	17	were those people arrested?
18	GENERAL NAIDOO: Chair, no, I've	18	GENERAL NAIDOO: Chair, I think I did
19	commented already. I have indicated that it would be	19	testify to the fact that not all of them came out without
20	difficult, yes.	20	any weapons and not all of them left their weapons at the
21	CHAIRPERSON: Yes, you've indicated it	21	rocks.
22	would be difficult. The impression I get is, you can't	22	MR MPOFU: Sure.
23	really deal specifically with these allegations put to you.	23	GENERAL NAIDOO: Some of them came out
24	GENERAL NAIDOO: No, Chair.	24	with their weapons and they were then confronted to drop
25	MR MPOFU: Well, did you or did you not	25	their weapons where they were as they were coming out and
	Deve 05000		D
1	Page 25082 participate in some of the arrests?	1	Page 25084 that's when they were subsequently taken to the arresting
2	GENERAL NAIDOO: Chair, I specifically	2	area and arrested, yes.
3	indicated the one arrest, yes.	3	MR MPOFU: Yes. Okay, so let's put those
4	MR MPOFU: Ja, you participated in the	4	ones aside who came out with their weapons and dropped
	5 1 1		
5	arrest ia I'm asking you in that capacity so –		
5	arrest, ja. I'm asking you in that capacity so –	5	them, let's consider only the ones who came out with their
6	GENERAL NAIDOO: That's why, Chair, I	5 6	them, let's consider only the ones who came out with their hands up. Why were those people arrested?
6 7	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant	5 6 7	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I
6 7 8	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the	5 6 7 8	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the
6 7 8 9	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was.	5 6 7 8 9	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to
6 7 8 9 10	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it	5 6 7 8 9 10	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in
6 7 8 9 10 11	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that	5 6 7 8 9 10 11	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this.
6 7 8 9 10 11 12	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were	5 6 7 8 9 10 11 12	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were
6 7 8 9 10 11 12 13	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct?	5 6 7 8 9 10 11 12 13	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed.
6 7 8 9 10 11 12 13 14	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair.	5 6 7 8 9 10 11 12 13 14	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes.
6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for	5 6 7 8 9 10 11 12 13 14 15	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested?
6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out,	5 6 7 8 9 10 11 12 13 14 15 16	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after
6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct?	5 6 7 8 9 10 11 12 13 14 15 16 17	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took
6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were	5 6 7 8 9 10 11 12 13 14 15 16 17 18	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place.
6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you said there was some initial reluctance, is that correct?	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't know when they disarmed, do you? Or you don't even know if
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you said there was some initial reluctance, is that correct? GENERAL NAIDOO: That's correct, Chair.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't know when they disarmed, do you? Or you don't even know if they ever had arms the whole day. They came up with their
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you said there was some initial reluctance, is that correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And then some of them came	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't know when they disarmed, do you? Or you don't even know if they ever had arms the whole day. They came up with their hands up, is that correct?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you said there was some initial reluctance, is that correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And then some of them came out.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't know when they disarmed, do you? Or you don't even know if they ever had arms the whole day. They came up with their hands up, is that correct? GENERAL NAIDOO: Some of them, yes.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	GENERAL NAIDOO: That's why, Chair, I indicated that I know the weapons were taken by Sergeant Brazier and we can establish from him exactly what the trail was. MR MPOFU: Alright, let's approach it from a different angle. You said that at some stage that there were – or firstly, a number of the strikers were hiding among the rocks, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And several shoutings, for lack of a better word, were made for them to come out, correct? GENERAL NAIDOO: The policemen were calling out to them, yes. MR MPOFU: Yes, and after – I think you said there was some initial reluctance, is that correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And then some of them came	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	them, let's consider only the ones who came out with their hands up. Why were those people arrested? GENERAL NAIDOO: Chair, I think I indicated two things, that the instruction was that the people that did not disperse and the people that failed to disarm would be arrested and I think we're covering both in terms of this. MR MPOFU: Ja, but these people were disarmed. GENERAL NAIDOO: Chair, yes. MR MPOFU: Why were they arrested? GENERAL NAIDOO: They disarmed after being confronted, not when the dispersal process took place. MR MPOFU: No, General Naidoo, please. You say the people came out with their hands up. You don't know when they disarmed, do you? Or you don't even know if they ever had arms the whole day. They came up with their hands up, is that correct?

	Page 25085		Page 25087
1	arrested?	1	MR MPOFU: Thank you, Chairperson.
2	GENERAL NAIDOO: Chair, because they were	2	Chairperson, if I may just address the Commission first.
3	part of that illegal gathering.	3	I'm now going to use a statement which was distributed to
4	MR MPOFU: But I thought the illegal	4	the Commissioners and the witness but what I wanted to say
5	gathering people were exempted and allowed to go home,	5	is I had hoped that - the statement is not signed but I had
6	you've just testified.	6	hoped that by now it would have been signed but
7	GENERAL NAIDOO: Chair, I already	7	unfortunately due to the strike, it's been difficult to
8	indicated to you and I indicated in earlier testimony that	8	trace some of our clients. We suspect some of them might
9	the people that were dispersed and that dispersed were	9	have decided to go home but we can give the assurance, we
10	allowed to freely disperse. The people that refused to	10	can give the assurance that as soon as –
11	disperse and the people who refused to disarm were the ones	11	CHAIRPERSON: Well, I don't know what Mr
12	that were arrested and the people that were in the grouping	12	Mpofu's, what Mr Semenya says about it but he, but you
13	at koppie 3 obviously did not disperse as did the other	13	remember a statement by Mr X –
14	people who were not hindered in dispersal.	14	MR MPOFU: Yes.
15	MR MPOFU: The strikers had gathered at	15	CHAIRPERSON: - which was not signed and
16	koppie 1, correct?	16	was put in and we allowed cross-examination on it -
17	GENERAL NAIDOO: That's correct, Chair.	17	MR MPOFU: Yes.
18	MR MPOFU: And these events we're talking	18	CHAIRPERSON: - on the basis that the
19	about, they were arrested at koppie 3, correct?	19	signed one would be forthcoming later. So there is, there
20	GENERAL NAIDOO: That's correct, Chair.	20	has been a relaxation of the usual standards in these
21	MR MPOFU: That means they had dispersed	21	matters and so you would rely on that to justify what you
22	from koppie 1, which is about 300 metres away, correct?	22	want to.
23	GENERAL NAIDOO: Chair, I would not	23	MR MPOFU: I intended exactly to do that,
24	really say they dispersed. I would say they regrouped.	24	Chairperson. Obviously subject to –
25	MR MPOFU: Come on, General. Did the	25	CHAIRPERSON: I can't think of a reason
	Page 25086		Page 25088
			•
1	people that were arrested with their hands up at koppie 3,	1	why we can distinguish what I allowed then from the present
1 2	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not?	1 2	why we can distinguish what I allowed then from the present case.
	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated		why we can distinguish what I allowed then from the present
2 3 4	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3.	2 3 4	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got
2 3	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they	2 3	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya?
2 3 4 5 6	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated?	2 3 4	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no
2 3 4 5 6 7	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed	2 3 4 5 6 7	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection.
2 3 4 5 6 7 8	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not -	2 3 4 5 6 7 8	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that
2 3 4 5 6 7 8 9	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you.	2 3 4 5 6 7 8 9	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the
2 3 4 5 6 7 8 9 10	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed	2 3 4 5 6 7 8 9 10	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the indulgence.
2 3 4 5 6 7 8 9 10 11	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers.	2 3 4 5 6 7 8 9 10 11	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the indulgence. MR MPOFU: Thank you very much,
2 3 4 5 6 7 8 9 10 11 12	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been	2 3 4 5 6 7 8 9 10 11 12	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the indulgence. MR MPOFU: Thank you very much, Chairperson.
2 3 4 5 6 7 8 9 10 11 12 13	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I	2 3 4 5 6 7 8 9 10 11 12 13	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the indulgence. MR MPOFU: Thank you very much, Chairperson. CHAIRPERSON: Alright, do we have to – it
2 3 4 5 6 7 8 9 10 11 12 13 14	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want	2 3 4 5 6 7 8 9 10 11 12 13 14	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.MR SEMENYA SC:No, Chair, I have noobjection.No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:CHAIRPERSON:Alright, do we have to – ithasn't been marked.Itight, do we have to – it
2 3 4 5 6 7 8 9 10 11 12 13 14 15	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in	2 3 4 5 6 7 8 9 10 11 12 13 14 15	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.MR SEMENYA SC:No, Chair, I have noobjection.MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:MR MPOFU:Yes, it hasn't been marked,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Mr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Mr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Nr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.MR SEMENYA SC:MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Mr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	people that were arrested with their hands up at koppie 3, had they dispersed from koppie 1 or not? GENERAL NAIDOO: Chair, they retreated from koppie 1 to koppie 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Mr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.CHAIRPERSON:Alright, so my notes, the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes. [COMMISSION ADJOURNS COMMISSION RESUMES]	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	why we can distinguish what I allowed then from the presentcase.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.MR SEMENYA SC:No, Chair, I have noobjection.MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MR MPOFU:MAMM.CHAIRPERSON:According to my notes, thelast MMM exhibit is 49.Mite the term of the series.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes. [COMMISSION ADJOURNS COMMISSION RESUMES] [12:32] CHAIRPERSON: The Commission resumes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	why we can distinguish what I allowed then from the present case. MR MPOFU: Thank you – CHAIRPERSON: Unless Mr Semenya's has got a vigorous objection. Mr Semenya? MR SEMENYA SC: No, Chair, I have no objection. CHAIRPERSON: Mr Semenya having got that indulgence himself, can scarcely deprive you of the indulgence. MR MPOFU: Mr Semenya having got that indulgence. MR MPOFU: Thank you very much, Chairperson. CHAIRPERSON: Alright, do we have to – it hasn't been marked. MR MPOFU: Yes, it hasn't been marked, Chairperson. CHAIRPERSON: Alright, so we're back to the M series. MR MPOFU: MMM. CHAIRPERSON: According to my notes, the last MMM exhibit is 49. MR MPOFU: 49.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes. [COMMISSION ADJOURNS COMMISSION RESUMES] [12:32] CHAIRPERSON: The Commission resumes. Major-General, you're still under oath.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	why we can distinguish what I allowed then from the present case.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Wr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.CHAIRPERSON:According to my notes, thelast MMM exhibit is 49.MR MPOFU:MR MPOFU:49.CHAIRPERSON:So this will be MMM50.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes. [COMMISSION ADJOURNS COMMISSION RESUMES] [12:32] CHAIRPERSON: The Commission resumes. Major-General, you're still under oath. GENERAL NAIDOO: Still under oath, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	why we can distinguish what I allowed then from the present case.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Wr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Kr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.CHAIRPERSON:According to my notes, thelast MMM exhibit is 49.MR MPOFU:49.CHAIRPERSON:So this will be MMM50.MR MPOFU:Five zero, yes, thank you,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	people that were arrested with their hands up at kopple 3, had they dispersed from kopple 1 or not? GENERAL NAIDOO: Chair, they retreated from kopple 1 to kopple 3. MR MPOFU: They dispersed before they retreated? GENERAL NAIDOO: Chair, if they dispersed they would not - MR MPOFU: Thank you. GENERAL NAIDOO: They would have followed the line of the other strikers. CHAIRPERSON: Mr Mpofu, I have been asked, it's been drawn to my attention in fact that I should have a comfort break round about now. If you want to round this point off first, please do so, but I'm in your hands. MR MPOFU: Chairperson, no, it would be convenient, Chair. CHAIRPERSON: Alright, we'll take a comfort break now. Let's try to be back within 10 minutes. [COMMISSION ADJOURNS COMMISSION RESUMES] [12:32] CHAIRPERSON: The Commission resumes. Major-General, you're still under oath.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	why we can distinguish what I allowed then from the present case.MR MPOFU:Thank you –CHAIRPERSON:Unless Mr Semenya's has gota vigorous objection.Wr Semenya?MR SEMENYA SC:No, Chair, I have noobjection.Mr Semenya having got thatindulgence himself, can scarcely deprive you of theindulgence.MR MPOFU:MR MPOFU:Thank you very much,Chairperson.CHAIRPERSON:Alright, do we have to – ithasn't been marked.MR MPOFU:Yes, it hasn't been marked,Chairperson.CHAIRPERSON:Alright, so we're back tothe M series.MR MPOFU:MMM.CHAIRPERSON:According to my notes, thelast MMM exhibit is 49.MR MPOFU:49.CHAIRPERSON:So this will be MMM50.

Marikana Commission of Inquiry

	Page 25089		Page 25091
1	CHAIRPERSON: Statement of Shadrack	1	MR MPOFU: Yes.
2	Zandisile Mtshamba, M-T-S-H-A-M-B-A.	2	GENERAL NAIDOO: It's primarily used in
3	MR MPOFU: Thank you, Chair. Thank you	3	the SAPS currently for training or other operational
4	very much Chairperson.	4	requirements.
5	CHAIRPERSON: Have you seen the document?	5	MR MPOFU: Okay, so it would be fair to
6	MR MPOFU: Yes, ja.	6	say it's banned in respect of crowd management.
7	GENERAL NAIDOO: s.u.o.	7	GENERAL NAIDOO: It's banned, yes.
8	CROSS-EXAMINATION BY MR MPOFU (CONTD.):	8	MR MPOFU: Yes, thank you. And okay, you
9	General, you remember the statement which was given to you	9	may not - I suppose you may not be the source of the
10	last week?	10	original instructions but do you know why SSG is banned in
11	GENERAL NAIDOO: I remember, Chair.	11	crowd management?
12	MR MPOFU: Thank you. Now in relation to	12	GENERAL NAIDOO: Chair, I think it's an
13	what we are dealing with I want to draw your attention to	13	alignment of the policies, the policing policies in terms
14	paragraph, let's start from 25 just for – ja. Or actually	14	of the use of force where previously number 5, that's
15	let's start from 24 just so that we don't revisit that.	15	birdshot, and SSG was used. It's now not allowed. So I
16	This is at scene 2.	16	think an alignment of our policies in terms of the new
17	CHAIRPERSON: Sorry, Mr Mpofu, has the	17	dispensation.
18	statement been given to those responsible for operating the	18	MR MPOFU: No, fair enough, but I'm just
19	screen? So will it up on the screen?	19	saying obviously it's banned for a reason because it's
20	MR MPOFU: Unfortunately I doubt if my	20	inappropriate to be used in crowd management, would that be
21	attorneys did that. No, unfortunately it hasn't,	21	fair?
22	Chairperson.	22	GENERAL NAIDOO: Well, it's lethal force,
23	CHAIRPERSON: Do you have to cross-	23	yes.
24	examine on it now? Is there not some other matter you can	24	MR MPOFU: Yes. And do you know whether
25	deal with in the meanwhile and then during the lunch time	25	or not SSG was used in the Marikana massacre, tragedy,
_	Page 25090	1	Page 25092
1	if arrangements can be made.	1	whatever?
2	if arrangements can be made. MR MPOFU: Okay, yes.	2	whatever? GENERAL NAIDOO: Chair, specifically?
2 3	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I	2 3	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically.
2 3 4	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think.	2 3 4	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a
2 3 4 5	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes.	2 3 4 5	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally?
2 3 4 5 6	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your	2 3 4 5 6	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the
2 3 4 5 6 7	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch –	2 3 4 5 6 7	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre.
2 3 4 5 6 7 8	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No.	2 3 4 5 6 7 8	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it
2 3 4 5 6 7 8 9	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't	2 3 4 5 6 7 8 9	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS –
2 3 4 5 6 7 8 9 10	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would	2 3 4 5 6 7 8 9 10	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS.
2 3 4 5 6 7 8 9 10 11	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help.	2 3 4 5 6 7 8 9 10 11	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the
2 3 4 5 6 7 8 9 10 11 12	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can,	2 3 4 5 6 7 8 9 10 11 12	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG.
2 3 4 5 6 7 8 9 10 11 12 13	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair.	2 3 4 5 6 7 8 9 10 11 12 13	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go
2 3 4 5 6 7 8 9 10 11 12 13 14	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you	2 3 4 5 6 7 8 9 10 11 12 13 14	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS
2 3 4 5 6 7 8 9 10 11 12 13 14 15	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of	2 3 4 5 6 7 8 9 10 11 12 13 14 15	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	whatever?GENERAL NAIDOO:Chair, specifically?MR MPOFU:Yes, yes, specifically.GENERAL NAIDOO:Are we talking about aspecific incident or are we talking about generally?MR MPOFU:No, I'm talking about theMarikana killings or massacre.GENERAL NAIDOO:Chair, by whom? Is itby the SAPS –MR MPOFU:By the SAPS.GENERAL NAIDOO:As far as I know theSAPS was not issued with SSG.MR MPOFU:Okay, I understand. Can I goahead? Yes.Okay, so as far as you are concerned no SAPSpersonnel were allowed to use SSG at the koppies, correct?GENERAL NAIDOO:That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	whatever?GENERAL NAIDOO:Chair, specifically?MR MPOFU:Yes, yes, specifically.GENERAL NAIDOO:Are we talking about aspecific incident or are we talking about generally?MR MPOFU:No, I'm talking about theMarikana killings or massacre.GENERAL NAIDOO:Chair, by whom? Is itby the SAPS –MR MPOFU:By the SAPS.GENERAL NAIDOO:As far as I know theSAPS was not issued with SSG.MR MPOFU:Okay, I understand. Can I goahead? Yes.Okay, so as far as you are concerned no SAPSpersonnel were allowed to use SSG at the koppies, correct?GENERAL NAIDOO:That's correct, Chair.MR MPOFU:And were, or rather the ban on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun. MR MPOFU: Yes, okay. And what is the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now, Chair, yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun. MR MPOFU: Yes, okay. And what is the current position in respect of the use of SSG ammunition or	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now, Chair, yes. MR MPOFU: For many years, yes, including
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun. MR MPOFU: Yes, okay. And what is the current position in respect of the use of SSG ammunition or shotgun?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<pre>whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now, Chair, yes. MR MPOFU: For many years, yes, including 2012?</pre>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun. MR MPOFU: Yes, okay. And what is the current position in respect of the use of SSG ammunition or shotgun? GENERAL NAIDOO: Chair, primarily it's	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS – MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now, Chair, yes. MR MPOFU: For many years, yes, including 2012? GENERAL NAIDOO: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	if arrangements can be made. MR MPOFU: Okay, yes. CHAIRPERSON: It would make it easier, I think. MR MPOFU: Yes. CHAIRPERSON: If it will prejudice your cross-examination to wait until after lunch – MR MPOFU: No. CHAIRPERSON: Then obviously I won't insist on it but if we can do it that way I think it would help. MR MPOFU: Yes, I can, I can, Chairperson, yes. Okay, thank you. Thank you, Chair. Alright, General, let's move to something else. Can you just tell us what is the position currently in respect of the use of SSG. What is SSG to begin with, is it a form of ammunition? GENERAL NAIDOO: It's a form of ammunition for shotgun. MR MPOFU: Yes, okay. And what is the current position in respect of the use of SSG ammunition or shotgun?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<pre>whatever? GENERAL NAIDOO: Chair, specifically? MR MPOFU: Yes, yes, specifically. GENERAL NAIDOO: Are we talking about a specific incident or are we talking about generally? MR MPOFU: No, I'm talking about the Marikana killings or massacre. GENERAL NAIDOO: Chair, by whom? Is it by the SAPS - MR MPOFU: By the SAPS. GENERAL NAIDOO: As far as I know the SAPS was not issued with SSG. MR MPOFU: Okay, I understand. Can I go ahead? Yes. Okay, so as far as you are concerned no SAPS personnel were allowed to use SSG at the koppies, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And were, or rather the ban on the SSG was operational at that time, correct? GENERAL NAIDOO: It's many years now, Chair, yes. MR MPOFU: For many years, yes, including 2012?</pre>

RCHIVE FOR JUS

1	Page 25093	1	Page 25095
1	GENERAL NAIDOO: Yes, Chair.	1	I wonder if the operators would, I know that – oh yes, that
2	MR MPOFU: Okay, can you go to the first	2	answers my question.
3	page? Chairperson, you should have a colour photo.	3	CHAIRPERSON: [Microphone off, inaudible]
4	CHAIRPERSON: We'd better mark them.	4	we've now got on the screen – the people who read the
5	MR MPOFU: We haven't marked them. We	5	record won't understand what you've said, just said, but
6	haven't marked them, Chairperson.	6	we've now got on the screen MMM51.1 which is IMG0961.
7	CHAIRPERSON: No, I said we'd better mark	7	MR MPOFU: That's correct. Thank you.
8	them.	8	Now General, what kind of cartridges are those or -
9	MR MPOFU: Did we?	9	GENERAL NAIDOO: Chair, I don't think
10	CHAIRPERSON: No, I am suggesting we mark	10	it's a cartridge.
11	them now. We didn't mark them.	11	MR MPOFU: Ja.
12	MR MPOFU: Yes, no, we didn't. We simply	12	GENERAL NAIDOO: It appears to be
13	put the handwriting with their originals.	13	something that emanates from a shotgun, yes.
14	CHAIRPERSON: Alright.	14	MR MPOFU: Yes, it's a casing, I think
15	MR MPOFU: They are from the Mohlaki	15	would be a better description. It's a shotgun shot casing.
16	series, I think.	16	GENERAL NAIDOO: Possible, ja.
17	CHAIRPERSON: Now I've been handed, I	17	MR MPOFU: Ja. Okay, and if you look at
18	think it's four photographs, IMG0961.JPG –	18	that one and the next one which is MMM51.2 –
19	MR MPOFU: That's correct.	19	CHAIRPERSON: That's exhibit MMM51.2.
20	CHAIRPERSON: 0962.	20	MR MPOFU: Yes.
21	MR MPOFU: Yes.	21	CHAIRPERSON: Which is the photograph
22	CHAIRPERSON: JPG, 3 and	22	IMG0962.JPG.
23	MR MPOFU: That's correct.	23	MR MPOFU: Yes. The tearings that you
24	CHAIRPERSON: - there's 4. So let's mark	24	see there on those casings would indicate that they had
25	them all MMM51.	25	been fired, correct?
	Page 25094		
1		1	Page 25096 GENERAL NAIDOO: It would appear so, yes
1	MR MPOFU: MMM –	1	GENERAL NAIDOO: It would appear so, yes.
2	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo	2	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to
2 3	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will	2 3	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos –
2 3 4	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962.	2 3 4	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the
2 3 4 5	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes.	2 3 4 5	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment.
2 3 4 5 6	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And –	2 3 4 5 6	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6.
2 3 4 5 6 7	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one –	2 3 4 5 6 7	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos – CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on the
2 3 4 5 6 7 8	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63,	2 3 4 5 6 7 8	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got –
2 3 4 5 6 7 8 9	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point –	2 3 4 5 6 7 8 9	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got – MR MPOFU: Oh yes, we don't.
2 3 4 5 6 7 8 9 10	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3.	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got – MR MPOFU: Oh yes, we don't. CHAIRPERSON: IMG0962, 63. Now we've got
2 3 4 5 6 7 8 9 10 11	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got – MR MPOFU: Oh yes, we don't. CHAIRPERSON: IMG0962, 63. Now we've got 0964.
2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six.	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos – CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:MR MPOFU:Yes, point 4 to point 6. CHAIRPERSON:CHAIRPERSON:We haven't got those on thescreen at the moment.We've got – IMR MPOFU:MR MPOFU:Oh yes, we don't. IMG0962, 63. Now we've got0964.Yes, you see that, what you
2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one swill be 63,that'll be 51 point –The third one will be 63,MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three of	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos – CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:MR MPOFU:Yes, point 4 to point 6. CHAIRPERSON:CHAIRPERSON:We haven't got those on thescreen at the moment.We've got – MR MPOFU:MR MPOFU:Oh yes, we don't. CHAIRPERSON:CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:MR MPOFU:Yes, you see that, what youcan see there –
2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each.	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:It would appear so, yes. MR MPOFU:MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos – CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:MR MPOFU:Yes, point 4 to point 6. CHAIRPERSON:CHAIRPERSON:We haven't got those on thescreen at the moment.We've got – MR MPOFU:MR MPOFU:Oh yes, we don't. IMG0962, 63. Now we've got0964.Yes, you see that, what youcan see there – CHAIRPERSON:Now we're seeing 65, 0965.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one will be 63,that'll be 51 point –MR MPOFU:MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three ofeach.CHAIRPERSON:CHAIRPERSON:Alright, so we'll mark them	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on theScreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.Yes, you see that, what youcan see there –CHAIRPERSON:CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one will be 63,that'll be 51 point –MR MPOFU:MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three ofeach.CHAIRPERSON:CHAIRPERSON:Alright, so we'll mark themall as we –Mark them	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos – CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:MR MPOFU:Yes, point 4 to point 6. CHAIRPERSON:CHAIRPERSON:We haven't got those on thescreen at the moment.We've got – MR MPOFU:MR MPOFU:Oh yes, we don't. IMG0962, 63. Now we've gotO964.IMG0962, 63. Now we've gotcan see there – CHAIRPERSON:Yes, you see that, what you can see there –CHAIRPERSON:Now we're seeing 65, 0965. And 66. CHAIRPERSON:MR MPOFU:And 0966. Now what does
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one will be 63,that'll be 51 point –MR MPOFU:MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three ofeach.CHAIRPERSON:Alright, so we'll mark themall as we –MR MPOFU:MR MPOFU:In that order.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.Yes, you see that, what youcan see there –CHAIRPERSON:CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one will be 63,that'll be 51 point –The third one will be 63,MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three ofeach.CHAIRPERSON:Alright, so we'll mark themall as we –MR MPOFU:MR MPOFU:In that order.CHAIRPERSON:All the way down to 51.6.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:Yes, you see that, what youcan see there –CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU:MMM –CHAIRPERSON:51.1 will be photoIMG0961.JPG and then 51.2 will be the same except it will be 0962.MR MPOFU:Yes.CHAIRPERSON:And –MR MPOFU:The third one –CHAIRPERSON:The third one will be 63,that'll be 51 point –MR MPOFU:MR MPOFU:Point 3.CHAIRPERSON:3, 0963.JPG. Sorry, Ithought I had four, I've got six.MR MPOFU:MR MPOFU:Yes, it's two pages, three ofeach.CHAIRPERSON:Alright, so we'll mark themall as we –MR MPOFU:MR MPOFU:In that order.CHAIRPERSON:All the way down to 51.6.MR MPOFU:Yes, thank you, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.IMG0962, 63. Now we've gotcan see there –CHAIRPERSON:CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –MR MPOFU:White circle.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:Yes, you see that, what youcan see there –CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –MR MPOFU:White circle.CHAIRPERSON:Disk, a white disk with the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of what they all are. So 0963 is 51.3, 0964, 0964 will be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got – MR MPOFU: Oh yes, we don't. CHAIRPERSON: IMG0962, 63. Now we've got 0964. MR MPOFU: Yes, you see that, what you can see there – CHAIRPERSON: Now we're seeing 65, 0965. MR MPOFU: And 66. CHAIRPERSON: And 0966. Now what does one see in the middle of the photograph MMM51.6? There's a round, I don't know if it's, what's it made of? A white – MR MPOFU: White circle. CHAIRPERSON: Disk, a white disk with the words "SSG" on it. What exactly is that, Major-General?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of what they all are. So 0963 is 51.3, 0964, 0964 will be 51.4, MIMM51.4. 0965 will be 51.5 and the last one 0966	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: It would appear so, yes. MR MPOFU: Yes. Now, if you then go to the next page you see that on all those three photos – CHAIRPERSON: This is MMM51.3, that's the photograph IMG963.JPG at the moment. MR MPOFU: Yes, point 4 to point 6. CHAIRPERSON: We haven't got those on the screen at the moment. We've got – MR MPOFU: Oh yes, we don't. CHAIRPERSON: IMG0962, 63. Now we've got 0964. MR MPOFU: Yes, you see that, what you can see there – CHAIRPERSON: Now we're seeing 65, 0965. MR MPOFU: And 66. CHAIRPERSON: And 0966. Now what does one see in the middle of the photograph MMM51.6? There's a round, I don't know if it's, what's it made of? A white – MR MPOFU: White circle. CHAIRPERSON: Disk, a white disk with the words "SSG" on it. What exactly is that, Major-General? GENERAL NAIDOO: Chair, it would appear
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of what they all are. So 0963 is 51.3, 0964, 0964 will be 51.4, MMM51.4. 0965 will be 51.5 and the last one 0966 will be 51.6. Alright, I've warked them all accordingly,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We ve got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:Yes, you see that, what youcan see there –CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –MR MPOFU:White circle.CHAIRPERSON:Disk, a white disk with thewords "SSG" on it. What exactly is that, Major-General?GENERAL NAIDOO:Chair, it would appearto be the front end of a shotgun cartridge. Normally you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of what they all are. So 0963 is 51.3, 0964, 0964 will be 51.4, MIMM51.4. 0965 will be 51.5 and the last one 0966 will be 51.6. Alright, I've marked them all accordingly, you may now continue.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We ve got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:MR MPOFU:Yes, you see that, what youcan see there –CHAIRPERSON:CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –MR MPOFU:White circle.CHAIRPERSON:Disk, a white disk with thewords "SSG" on it. What exactly is that, Major-General?GENERAL NAIDOO:Chair, it would appearto be the front end of a shotgun cartridge. Normally youhave that holding the projectiles in place, sir.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	MR MPOFU: MMM – CHAIRPERSON: 51.1 will be photo IMG0961.JPG and then 51.2 will be the same except it will be 0962. MR MPOFU: Yes. CHAIRPERSON: And – MR MPOFU: The third one – CHAIRPERSON: The third one will be 63, that'll be 51 point – MR MPOFU: Point 3. CHAIRPERSON: 3, 0963.JPG. Sorry, I thought I had four, I've got six. MR MPOFU: Yes, it's two pages, three of each. CHAIRPERSON: Alright, so we'll mark them all as we – MR MPOFU: In that order. CHAIRPERSON: All the way down to 51.6. MR MPOFU: Yes, thank you, Chair. CHAIRPERSON: Let me just make notes of what they all are. So 0963 is 51.3, 0964, 0964 will be 51.4, MMM51.4. 0965 will be 51.5 and the last one 0966 will be 51.6. Alright, I've warked them all accordingly,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO:It would appear so, yes.MR MPOFU:Yes. Now, if you then go tothe next page you see that on all those three photos –CHAIRPERSON:This is MMM51.3, that's thephotograph IMG963.JPG at the moment.MR MPOFU:Yes, point 4 to point 6.CHAIRPERSON:We haven't got those on thescreen at the moment.We've got –MR MPOFU:Oh yes, we don't.CHAIRPERSON:IMG0962, 63. Now we've got0964.MR MPOFU:Yes, you see that, what youcan see there –CHAIRPERSON:Now we're seeing 65, 0965.MR MPOFU:And 66.CHAIRPERSON:And 0966. Now what doesone see in the middle of the photograph MMM51.6? There's around, I don't know if it's, what's it made of? A white –MR MPOFU:White circle.CHAIRPERSON:Disk, a white disk with thewords "SSG" on it. What exactly is that, Major-General?GENERAL NAIDOO:Chair, it would appearto be the front end of a shotgun cartridge. Normally you

	Page 25097		Page 25099
1	covering the lower part of it – although I say the lower	1	photographs were taken on the 16th at scene 2 after the
2	part of it, it's actually the top part of it on the	2	shootings, it would appear that on that or during the
3	photograph but if one assumes that the top part of the disk	3	commotion that occurred there, the banned ammunition called
4	is the one, the part with SSG written on it then it's the	4	SSG was used against the protesters?
5	lower part. There's another disk which is sort of a light	5	GENERAL NAIDOO: Chair, I could rather
6	brown colour, very light brown, what is that? Is that also	6	indicate that yes, if these things were found there –
7	part of –	7	MR MPOFU: Yes.
, 8	GENERAL NAIDOO: It could be, Chair. I'm	, 8	GENERAL NAIDOO: - that it was possibly
9		9	used at some stage but we can't indicate specifically when,
	not sure.		
10	CHAIRPERSON: You say it could be a disk	10	whether it was during the commotion as indicated.
11	like that lying on the other side?	11	CHAIRPERSON: Yes. I take it we also
12	GENERAL NAIDOO: It could be, yes, part	12	don't know who used it.
13	of a similar disk or part of this disk, I'm not sure.	13	GENERAL NAIDOO: Exactly, Chair.
14	CHAIRPERSON: It looks like something to	14	CHAIRPERSON: So it might have been
15	do with the shotgun.	15	members of the South African Police Service, it might also
16	GENERAL NAIDOO: It would appear.	16	have been other people who were on the scene.
17	CHAIRPERSON: And with pellets, is that	17	GENERAL NAIDOO: Chair, yes.
18	right?	18	CHAIRPERSON: It might have been. How
19	GENERAL NAIDOO: It's normally this part	19	probable that is, is a matter we have to look at.
20	that retains the pellets in a shotgun cartridge.	20	GENERAL NAIDOO: There's two other
21	CHAIRPERSON: Yes.	21	parties that could have possibly used – as well.
22	MR MPOFU: Right, so would you agree, to	22	MR MPOFU: Yes. That's exactly why I
23	put it at its lowest, that from these photographs it would	23	framed the question neutrally again. It would appear that
24	seem that the banned ammunition SSG was used at the scene,	24	the banned ammunition SSG was used on that day, on the 16th
25	correct?	25	during the action that took place there, correct?
	Page 25098		Page 25100
1	Page 25098 GENERAL NAIDOO: Used –	1	Page 25100 GENERAL NAIDOO: Chair, if that is what
1 2	-	1 2	•
	GENERAL NAIDOO: Used –		GENERAL NAIDOO: Chair, if that is what
2	GENERAL NAIDOO: Used – MR MPOFU: Shot.	2	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not
2 3	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG	2 3	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the
2 3 4	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these	2 3 4	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was
2 3 4 5	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes.	2 3 4 5	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that
2 3 4 5 6 7	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who	2 3 4 5 6	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate
2 3 4 5 6 7 8	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when?	2 3 4 5 6 7 8	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact.
2 3 4 5 6 7 8 9	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand	2 3 4 5 6 7 8 9	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct.
2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie
2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain,	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie3 those photographs were taken or is that something we have
2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain –	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie3 those photographs were taken or is that something we haveto ask Captain Mohlaki, either by his coming and giving
2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki.	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie3 those photographs were taken or is that something we haveto ask Captain Mohlaki, either by his coming and givingevidence or by sending him a request, sending the police a
2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:Used –MR MPOFU:Shot.GENERAL NAIDOO:I'm not sure where thesephotographs are taken but it would appear that it is SSGpieces or pieces of SSG cartridge, yes.MR MPOFU:Yes.CHAIRPERSON:Are you able to tell us whotook these photographs and where and when?MR MPOFU:Chairperson, I standcorrected, I think it's Mohlaki.It's in the Mohlakiseries, ja.Well, I can't remember his rank but – Captain,yes, he's Captain, yes.Captain Mohlaki.MR MPOFU:Yes, these were photographs	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie3 those photographs were taken or is that something we haveto ask Captain Mohlaki, either by his coming and givingevidence or by sending him a request, sending the police arequest which he can answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:Used –MR MPOFU:Shot.GENERAL NAIDOO:I'm not sure where thesephotographs are taken but it would appear that it is SSGpieces or pieces of SSG cartridge, yes.MR MPOFU:Yes.CHAIRPERSON:Are you able to tell us whotook these photographs and where and when?MR MPOFU:Chairperson, I standcorrected, I think it's Mohlaki.It's in the Mohlakiseries, ja.Well, I can't remember his rank but – Captain,yes, he's Captain, yes.Captain Mohlaki.MR MPOFU:Yes, these were photographs	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO:Used –MR MPOFU:Shot.GENERAL NAIDOO:I'm not sure where thesephotographs are taken but it would appear that it is SSGpieces or pieces of SSG cartridge, yes.MR MPOFU:Yes.CHAIRPERSON:Are you able to tell us whotook these photographs and where and when?MR MPOFU:Chairperson, I standcorrected, I think it's Mohlaki.It's in the Mohlakiseries, ja.Well, I can't remember his rank but – Captain,yes, he's Captain, yes.Captain Mohlaki.MR MPOFU:Yes, these were photographstaken by Captain Mohlaki at scene, General.CHAIRPERSON:CHAIRPERSON:On the 16th of August?MR MPOFU:Yes, these were photographs	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO:Used –MR MPOFU:Shot.GENERAL NAIDOO:I'm not sure where thesephotographs are taken but it would appear that it is SSGpieces or pieces of SSG cartridge, yes.MR MPOFU:Yes.CHAIRPERSON:Are you able to tell us whotook these photographs and where and when?MR MPOFU:Chairperson, I standcorrected, I think it's Mohlaki.It's in the Mohlakiseries, ja.Well, I can't remember his rank but – Captain,yes, he's Captain, yes.Captain Mohlaki.MR MPOFU:Yes, these were photographstaken by Captain Mohlaki at scene, General.CHAIRPERSON:CHAIRPERSON:On the 16th of August?MR MPOFU:On the 16th of August.CHAIRPERSON:After the shootings there.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO:Used –MR MPOFU:Shot.GENERAL NAIDOO:I'm not sure where thesephotographs are taken but it would appear that it is SSGpieces or pieces of SSG cartridge, yes.MR MPOFU:Yes.CHAIRPERSON:Are you able to tell us whotook these photographs and where and when?MR MPOFU:Chairperson, I standcorrected, I think it's Mohlaki.It's in the Mohlakiseries, ja.Well, I can't remember his rank but – Captain,yes, he's Captain, yes.Captain Mohlaki.MR MPOFU:Yes, these were photographstaken by Captain Mohlaki at scene, General.CHAIRPERSON:CHAIRPERSON:On the 16th of August?MR MPOFU:On the 16th of August.CHAIRPERSON:After the shootings there.MR MPOFU:Correct, yes.Subsequent to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be. MR MPOFU: No, apparently it's not,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now, would you then agree with the conclusion that I'm seeking	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be. MR MPOFU: No, apparently it's not, Chairperson, but I agree with the Chairperson. I think,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now, would you then agree with the conclusion that I'm seeking to draw?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO:Chair, if that is whathas been found at the scene, as I said, it does notnecessarily indicate the day but if it was found on thescene we accept that it was part of the evidence that wasrecovered on that day, yes.MR MPOFU:And we can also assume thatCaptain Mohlaki took these photographs exactly to indicatethat fact.GENERAL NAIDOO:That's correct.CHAIRPERSON:Do you know where on koppie3 those photographs were taken or is that something we haveto ask Captain Mohlaki, either by his coming and givingevidence or by sending him a request, sending the police arequest which he can answer.I'm not sure if he's going tocome and –MR MPOFU:MR MPOFU:Yes, Chairperson. I suspectthis is the kind of thing that will be dealt with –CHAIRPERSON:It's on his sketch plan,isn't it, which is an exhibit? It should be.MR MPOFU:No, apparently it's not,Chairperson, but I agree with the Chairperson. I think,I'm sure Mr Semenya – this is the kind of thing that a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now, would you then agree with the conclusion that I'm seeking to draw? GENERAL NAIDOO: Sorry, can you repeat	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be. MR MPOFU: No, apparently it's not, Chairperson, but I agree with the Chairperson. I think, I'm sure Mr Semenya – this is the kind of thing that a request will cover, an appropriately worded request.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now, would you then agree with the conclusion that I'm seeking to draw? GENERAL NAIDOO: Sorry, can you repeat the conclusion?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be. MR MPOFU: No, apparently it's not, Chairperson, but I agree with the Chairperson. I think, I'm sure Mr Semenya – this is the kind of thing that a request will cover, an appropriately worded request. [12:52] CHAIRPERSON: If one looks at his sketch
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: Used – MR MPOFU: Shot. GENERAL NAIDOO: I'm not sure where these photographs are taken but it would appear that it is SSG pieces or pieces of SSG cartridge, yes. MR MPOFU: Yes. CHAIRPERSON: Are you able to tell us who took these photographs and where and when? MR MPOFU: Chairperson, I stand corrected, I think it's Mohlaki. It's in the Mohlaki series, ja. Well, I can't remember his rank but – Captain, yes, he's Captain, yes. Captain – CHAIRPERSON: Captain Mohlaki. MR MPOFU: Yes, these were photographs taken by Captain Mohlaki at scene, General. CHAIRPERSON: On the 16th of August? MR MPOFU: On the 16th of August. CHAIRPERSON: After the shootings there. MR MPOFU: Correct, yes. Subsequent to the shooting event. If you can just accept that for now, would you then agree with the conclusion that I'm seeking to draw? GENERAL NAIDOO: Sorry, can you repeat	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: Chair, if that is what has been found at the scene, as I said, it does not necessarily indicate the day but if it was found on the scene we accept that it was part of the evidence that was recovered on that day, yes. MR MPOFU: And we can also assume that Captain Mohlaki took these photographs exactly to indicate that fact. GENERAL NAIDOO: That's correct. CHAIRPERSON: Do you know where on koppie 3 those photographs were taken or is that something we have to ask Captain Mohlaki, either by his coming and giving evidence or by sending him a request, sending the police a request which he can answer. I'm not sure if he's going to come and – MR MPOFU: Yes, Chairperson. I suspect this is the kind of thing that will be dealt with – CHAIRPERSON: It's on his sketch plan, isn't it, which is an exhibit? It should be. MR MPOFU: No, apparently it's not, Chairperson, but I agree with the Chairperson. I think, I'm sure Mr Semenya – this is the kind of thing that a request will cover, an appropriately worded request.

Marikana Commission of Inquiry

1	Page 25101		Page 25103
1	examination of this witness, but we didn't have the key, I	1	MR MPOFU: Okay and you would have been
2	can't remember if the key mentioned these disks but we got	2	involved in such an investigation.
3	it quite a long time ago so my memory may be inaccurate on	3	GENERAL NAIDOO: Probably yes, I would
4	that but I'm inclined to think we would have focused on it	4	have had –
5	at the time if it had been mentioned -	5	MR MPOFU: Or at least been aware of how
6	MR MPOFU: - I doubt –	6	-
7	CHAIRPERSON: I don't know whether you	7	GENERAL NAIDOO: I would have been aware
8	can help us on that.	8	and I would have been expected to assist in such an
9	MR MPOFU: I doubt it myself,	9	investigation.
10	Chairperson. Mr Wesley also seems to agree with you and I	10	MR MPOFU: Yes. And in fact in support
11	that those were not on the sketch so we'll just forward an	11	of that statement you yourself, just to show that these are
12	appropriate request.	12	matters which are your general concern, as it were, you on
13	COMMISSIONER HEMRAJ: Isn't there a key	13	the - okay, it's difficult to work out the date of this
14	to the photographs, though? Does it not perhaps indicate	14	letter but you issued an instruction to do with people
15	on that key to the photographs where this was taken? Mr	15	having to hand in, among others, SSG, correct?
16	Wesley can you help us?	16	GENERAL NAIDOO: All –
17	MR WESLEY: I'll have a look,	17	MR MPOFU: This year.
18	Commissioner.	18	GENERAL NAIDOO: - shotgun ammunition,
19	COMMISSIONER HEMRAJ: Thank you.	19	yes.
20	MR MPOFU: Thank you very much,	20	MR MPOFU: In January of this year.
21	Chairperson.	21	GENERAL NAIDOO: 16th of January.
22	CHAIRPERSON: You weren't aware of this	22	MR MPOFU: 2014, 16th of January.
23	at the time, these photographs, were you?	23	GENERAL NAIDOO: Yes.
24	GENERAL NAIDOO: No, Chair.	24	MR MPOFU: Okay yes, I can see. Oh ja,
25	CHAIRPERSON: Presumably Captain Mohlaki	25	it says 011 where it's supposed to say 01, yes. On the 16th
	Page 25102		Page 25104
1	was but of course it raises quite a serious question,	1	of January 2014, correct?
2	was but of course it raises quite a serious question, doesn't it?	2	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair.
2 3	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course.	2 3	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter
2 3 4	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the	2 3 4	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't
2 3 4 5	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it	2 3 4 5	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the
2 3 4 5 6	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would	2 3 4 5 6	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last.
2 3 4 5 6 7	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it	2 3 4 5 6 7	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of
2 3 4 5 6 7 8	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition	2 3 4 5 6 7 8	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents –
2 3 4 5 6 7 8 9	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter.	2 3 4 5 6 7 8 9	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair.	2 3 4 5 6 7 8 9 10	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I
2 3 4 5 6 7 8 9 10 11	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first	2 3 4 5 6 7 8 9 10 11	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet.
2 3 4 5 6 7 8 9 10 11 12	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it?	2 3 4 5 6 7 8 9 10 11 12	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20
2 3 4 5 6 7 8 9 10 11	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time,	2 3 4 5 6 7 8 9 10 11 12 13	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in
2 3 4 5 6 7 8 9 10 11 12 13 14	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informet about this particular –	2 3 4 5 6 7 8 9 10 11 12 13 14	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first
2 3 4 5 6 7 8 9 10 11 12 13	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't	2 3 4 5 6 7 8 9 10 11 12 13	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informet about this particular –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair. CHAIRPERSON: But would you have been	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the bundle, Mr Mpofu, is it?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair. CHAIRPERSON: But would you have been involved in, you know, if there had been investigations	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the bundle, Mr Mpofu, is it? MR MPOFU: That's correct, thank you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair. CHAIRPERSON: But would you have been involved in, you know, if there had been investigations about this at the time would you have expected to have been	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the bundle, Mr Mpofu, is it? MR MPOFU: That's correct, thank you. Page 6 of that little bundle. Yes, and it's on the screen.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair. CHAIRPERSON: But would you have been involved in, you know, if there had been investigations about this at the time would you have expected to have been told or was it something that would have been outside the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the bundle, Mr Mpofu, is it? MR MPOFU: That's correct, thank you. Page 6 of that little bundle. Yes, and it's on the screen. CHAIRPERSON: Let's give the bundle an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	was but of course it raises quite a serious question, doesn't it? GENERAL NAIDOO: Of course. CHAIRPERSON: And if the members, the senior members of the police service had been aware of it at the time – they may have been, I don't know – one would have expected it to have been investigated because if it was members of the police service who used this ammunition it would have been a serious matter. GENERAL NAIDOO: Definitely, Chair. CHAIRPERSON: But is this the first you've heard of it? GENERAL NAIDOO: It's the first time, yes. I have not been informed about this particular – CHAIRPERSON: And you obviously weren't at the time either. GENERAL NAIDOO: No, Chair. CHAIRPERSON: But would you have been involved in, you know, if there had been investigations about this at the time would you have been outside the matters which you were concerned with?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	of January 2014, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: And Chairperson, that letter will be found, there's a cluster of documents which I don't intend to use all of them but the last, no, it's not the last. CHAIRPERSON: We've got a pile of documents – MR MPOFU: Yes. CHAIRPERSON: - we have been given. I don't think they're exhibits yet. MR MPOFU: No, they're not. It's 20 December 2011 is the one in front. I'm assuming they're in the same sequence as mine, Chairperson. There's the first letter, 20 December, a two page letter. It's one, two, three – COMMISSIONER HEMRAJ: It's page 6 in the bundle, Mr Mpofu, is it? MR MPOFU: That's correct, thank you. Page 6 of that little bundle. Yes, and it's on the screen. CHAIRPERSON: Let's give the bundle an exhibit number. We'll call it MMM52.

FORJUS

RCHIVE

Marikana Commission of Inquiry

	Page 25105		Page 25107
1	MR MPOFU: 41.2.	1	back typed to you. It wasn't really you, it was Brigadier
2	CHAIRPERSON: - what we'll have to do is,	2	Alexander, I take it.
3	yes, we'll have to number each one separately. It will be	3	GENERAL NAIDOO: That's correct, Chair.
4	MMM52.1 et cetera.	4	CHAIRPERSON: Brigadier Alexander
5	MR MPOFU: Exactly.	5	prepared the letter.
6	CHAIRPERSON: Now the one you're	6	GENERAL NAIDOO: Yes, he's supply chain –
7	referring to is what number in the bundle?	7	CHAIRPERSON: And you signed it.
8	MR MPOFU: It will now be MMM52.6,	8	GENERAL NAIDOO: That's correct.
9	Chairperson.	9	CHAIRPERSON: Neither of you spotted that
10	CHAIRPERSON: And what is number 6?	10	the shotgun had become shortgun, but anyway we won't waste
11	GENERAL NAIDOO: It's a letter that's on	11	time on that.
12	the screen right now.	12	MR MPOFU: And the 011, yes. Okay.
13	CHAIRPERSON: It's a letter –	13	CHAIRPERSON: Alright. And so what
14		14	happened was the letter says "As per instruction by the
	0 5		
15	20, rather 16 January 2014. There's just a mistake. If	15	Provincial Commissioner," so she actually issued the
16	you can go to the bottom where the signature appears.	16	instruction, you then had to – you and Brigadier Alexander
17	COMMISSIONER HEMRAJ: Yes.	17	had to see to it that the instruction went out.
18	CHAIRPERSON: It's letter, it's letter	18	GENERAL NAIDOO: Yes, with Brigadier
19	from Major-General Naidoo.	19	Alexander.
20	MR MPOFU: "Regarding withdrawal of –"	20	CHAIRPERSON: "All POP units in the
21	CHAIRPERSON: "Regarding withdrawal of	21	North-West Province are instructed, herewith instructed to
22	round," it should be shotgun –	22	hand in the following rounds, shotgun 12-bore by 17 January
23	MR MPOFU: It is –	23	2014 at 13H00." And then it was bore, round shotgun 12-
24	CHAIRPERSON: Shortgun, shotgun?	24	bore number 5, round shotgun 12-bore SSG and then round
25	MR MPOFU: Without the "r" ja.	25	shotgun 12-bore AAA.
			D
1	Page 25106	1	Page 25108 GENERAL NAIDOO: That's correct. Chair
1	CHAIRPERSON: You should read your	1	GENERAL NAIDOO: That's correct, Chair.
2	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of	2	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the letter
2 3	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter,	2 3	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to
2 3 4	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" –	2 3 4	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's
2 3 4 5	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun.	2 3 4 5	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue?
2 3 4 5 6	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore."	2 3 4 5 6	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning
2 3 4 5 6 7	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes.	2 3 4 5 6 7	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earlier
2 3 4 5 6 7 8	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have	2 3 4 5 6 7 8	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listed
2 3 4 5 6 7 8 9	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have to put this in quotation marks, "16" –	2 3 4 5 6 7 8 9	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.
2 3 4 5 6 7 8 9 10	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have to put this in quotation marks, "16" – GENERAL NAIDOO: January.	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.CHAIRPERSON:Thank you. I see it's now
2 3 4 5 6 7 8 9 10 11	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround, " I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage
2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment?
2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that's	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson.
2 3 4 5 6 7 8 9 10 11 12 13 14	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.Wat it is.	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.CHAIRPERSON:Thank you. I see it's now1 o'clock, Mr Mpofu. Is this perhaps an appropriate stagefor us to take the adjournment?MR MPOFU:Yes, Chairperson.CHAIRPERSON:Unless there's something, a
2 3 4 5 6 7 8 9 10 11 12 13	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.CHAIRPERSON:Thank you. I see it's now1 o'clock, Mr Mpofu. Is this perhaps an appropriate stagefor us to take the adjournment?MR MPOFU:Yes, Chairperson.CHAIRPERSON:Unless there's something, apoint you want to slip in first before we take the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" -GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" -GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.CHAIRPERSON:Thank you. I see it's now1 o'clock, Mr Mpofu. Is this perhaps an appropriate stagefor us to take the adjournment?MR MPOFU:Yes, Chairperson.CHAIRPERSON:Unless there's something, apoint you want to slip in first before we take the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" -GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" -GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:"Really," I put it as	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one, Chairperson. The item listed in 1.2 is the same as what we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" -GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" -GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:"Really," I put it as	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one, Chairperson. The item listed in 1.2 is the same as what we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" -GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" -GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:"Really," I put it as"Really 2014/01/16."So it's really the 16th of January	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one, Chairperson. The item listed in 1.2 is the same as what we saw on the pictures, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON:You should read yourletters before you sign them."Regarding withdrawal ofround," I suppose I've got to write what is on the letter,"round shortgun" –GENERAL NAIDOO:Shotgun.CHAIRPERSON:"12-bore."MR MPOFU:Yes.CHAIRPERSON:Dated, and again I'll haveto put this in quotation marks, "16" –GENERAL NAIDOO:January.CHAIRPERSON:It's dated 20/04/01.MR MPOFU:2014, Chairperson.CHAIRPERSON:Sorry, 2014/011, that'swhat it is.MR MPOFU:MR MPOFU:It's a mistake.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:16.MR MPOFU:Yes.CHAIRPERSON:"Really," I put it as"Really 2014/01/16." So it's really the 16th of January2014 but the pen slipped when he was writing the date and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one, Chairperson. The item listed in 1.2 is the same as what we saw on the pictures, correct? GENERAL NAIDOO: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have to put this in quotation marks, "16" – GENERAL NAIDOO: January. CHAIRPERSON: It's dated 20/04/01. MR MPOFU: 2014, Chairperson. CHAIRPERSON: Sorry, 2014/011, that's what it is. MR MPOFU: It's a mistake. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: "Really," I put it as "Really 2014/01/16." So it's really the 16th of January 2014 but the pen slipped when he was writing the date and he missed the description of the –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what's a PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON:Thank you. I see it's now1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment?MR MPOFU:Yes, Chairperson. Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands.MR MPOFU:Yes, it's just a quick one,Chairperson. The item listed in 1.2 is the same as what we saw on the pictures, correct?GENERAL NAIDOO:That's correct, Chair. MR MPOFU:MR MPOFU:Ja. Okay, Chairperson, we can
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have to put this in quotation marks, "16" – GENERAL NAIDOO: January. CHAIRPERSON: It's dated 20/04/01. MR MPOFU: 2014, Chairperson. CHAIRPERSON: Sorry, 2014/011, that's what it is. MR MPOFU: It's a mistake. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: "Really," I put it as "Really 2014/01/16." So it's really the 16th of January 2014 but the pen slipped when he was writing the date and he missed the description of the – GENERAL NAIDOO: Shotgun.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: and then the letter continues, "Ensure proper co-ordination and PAS issues to Potchefstroom POP of all relevant ammunition." Now what's a PAS issue? GENERAL NAIDOO: It's a provisioning administration system because, as I indicated in my earlier testimony, that all government assets are, they're listed on a system and have to be accounted for on the system. CHAIRPERSON: Thank you. I see it's now 1 o'clock, Mr Mpofu. Is this perhaps an appropriate stage for us to take the adjournment? MR MPOFU: Yes, Chairperson. CHAIRPERSON: Unless there's something, a point you want to slip in first before we take the adjournment. I'm in your hands. MR MPOFU: Yes, it's just a quick one, Chairperson. The item listed in 1.2 is the same as what we saw on the pictures, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Ja. Okay, Chairperson, we can break at that point.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	CHAIRPERSON: You should read your letters before you sign them. "Regarding withdrawal of round," I suppose I've got to write what is on the letter, "round shortgun" – GENERAL NAIDOO: Shotgun. CHAIRPERSON: "12-bore." MR MPOFU: Yes. CHAIRPERSON: Dated, and again I'll have to put this in quotation marks, "16" – GENERAL NAIDOO: January. CHAIRPERSON: It's dated 20/04/01. MR MPOFU: 2014, Chairperson. CHAIRPERSON: Sorry, 2014/011, that's what it is. MR MPOFU: It's a mistake. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: 16. MR MPOFU: Yes. CHAIRPERSON: "Really," I put it as "Really 2014/01/16." So it's really the 16th of January 2014 but the pen slipped when he was writing the date and he missed the description of the – GENERAL NAIDOO: Shotgun. CHAIRPERSON: In the letter which	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO:That's correct, Chair.CHAIRPERSON:and then the lettercontinues, "Ensure proper co-ordination and PAS issues toPotchefstroom POP of all relevant ammunition." Now what'sa PAS issue?GENERAL NAIDOO:It's a provisioningadministration system because, as I indicated in my earliertestimony, that all government assets are, they're listedon a system and have to be accounted for on the system.CHAIRPERSON:Thank you. I see it's now1 o'clock, Mr Mpofu. Is this perhaps an appropriate stagefor us to take the adjournment?MR MPOFU:Yes, Chairperson.CHAIRPERSON:Unless there's something, apoint you want to slip in first before we take theadjournment.I'm in your hands.MR MPOFU:Yes, it's just a quick one,Chairperson.That's correct, Chair.MR MPOFU:Yas, it's correct, Chair.MR MPOFU:Ja. Okay, Chairperson, we canbreak at that point.CHAIRPERSON:CHAIRPERSON:Alright, we'll now take the

FORJUS

RCHIVE

		1	
	Page 25109		Page 25111
1	[13:55] CHAIRPERSON: The Commission resumes.	1	years, that the stockpile had not depleted sufficiently to
2	Major-General, you're still under oath.	2	be taken out of circulation.
3	GENERAL NAIDOO: Still under oath, Chair.	3	MR MPOFU: So in 10 years or so the
4	CHAIRPERSON: Mr Mpofu, I take it the	4	stock, as it were, was still available to members.
5	document that you wanted to have put up on the screen,	5	GENERAL NAIDOO: Chair, when you say
6	that's the statement by Mr Shadrack Zandisile Mtshamba -	6	available, it was still in stock at those units where they
7	MR MPOFU: Yes.	7	were placed, yes.
8	CHAIRPERSON: Exhibit MMM50, is that now	8	COMMISSIONER HEMRAJ: Was access to that
9	on the screen? Although I know you, I think you've got to	9	ammunition subject to the same rules that, active to other
10	deal – you're finishing off a point.	10	ammunition?
11	MR MPOFU: Yes, I'll come to it later but	11	GENERAL NAIDOO: Any other ammunition,
12	it is, it has been arranged.	12	it's the same process.
13	CHAIRPERSON: Alright.	13	MR MPOFU: Yes, but the point is,
14	MR MPOFU: It's been arranged.	14	effectively it was accessible to members of POP?
15	CHAIRPERSON: Please proceed with your	15	GENERAL NAIDOO: For training purposes,
16	cross-examination.	16	yes.
17	GENERAL NAIDOO: S.U.O.	17	MR MPOFU: Yes, but these are
18	CROSS-EXAMINATION BY MR MPOFU (CONTD.):	18	nevertheless, I mean whatever purposes, it was available
19	Thank you, Chairperson. General, ja, we were still dealing	19	for them. They could use it for training or they could
20 21	with the SSG issue. GENERAL NAIDOO: Correct.	20 21	just admire it or whatever. GENERAL NAIDOO: Chair –
21	MR MPOFU: Now, your evidence earlier was	21	
22	that this SSG, rather by the time the events of the 16th	22	MR MPOFU: It was available, so – GENERAL NAIDOO: I think when you say
23	August 2012 occurred, it had already been banned for years,	23	available, there are two POP units where the areas, because
25	correct?	25	of the facilities they had, were the main storage areas of
20		20	
	Page 25110		Page 25112
1	Page 25110 GENERAL NAIDOO: That's correct, Chair.	1	Page 25112 the ammunition. The booking out of ammunition and issuing
1 2		1 2	
	GENERAL NAIDOO: That's correct, Chair.		the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm
2	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it.	2	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock
2 3	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition	2 3	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be
2 3 4	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no	2 3 4	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et
2 3 4 5	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised for	2 3 4 5	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management
2 3 4 5 6	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted and	2 3 4 5 6 7 8	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties.
2 3 4 5 6 7 8 9	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of this	2 3 4 5 6 7 8 9	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a
2 3 4 5 6 7 8 9 10	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.	2 3 4 5 6 7 8 9 10	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that.
2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO:That's correct, Chair. MR MPOFU:MR MPOFU:Right, now – and then you kindof banned it again, January this year. GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition.MR MPOFU:Yes, but surely if it had been	2 3 4 5 6 7 8 9 10 11	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair.
2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.MR MPOFU:Yes, but surely if it had beenbanned for years, it must have been depleted a long time	2 3 4 5 6 7 8 9 10 11 12	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was
2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.MR MPOFU:Yes, but surely if it had beenbanned for years, it must have been depleted a long timeago.	2 3 4 5 6 7 8 9 10 11 12 13	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it
2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:That's correct, Chair. MR MPOFU:MR MPOFU:Right, now – and then you kindof banned it again, January this year. GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition.MR MPOFU:Yes, but surely if it had been banned for years, it must have been depleted a long time ago.GENERAL NAIDOO:Chair –	2 3 4 5 6 7 8 9 10 11 12 13 14	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store –
2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.MR MPOFU:Yes, but surely if it had beenbanned for years, it must have been depleted a long timeago.GENERAL NAIDOO:Chair –MR MPOFU:Otherwise if you are doing it	2 3 4 5 6 7 8 9 10 11 12 13 14 15	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.MR MPOFU:Yes, but surely if it had beenbanned for years, it must have been depleted a long timeago.GENERAL NAIDOO:Chair –MR MPOFU:Otherwise if you are doing itagain now it means it was supplied during the period of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO:That's correct, Chair.MR MPOFU:Right, now – and then you kindof banned it again, January this year.GENERAL NAIDOO:Chair, not banned it.If I could explain, the arrangement was that the ammunitionwas placed at certain units and stations and they were nolonger going to be on order and they had to be utilised fortraining purposes, et cetera, until they were depleted andthe police were not going to buy any more of thisammunition.MR MPOFU:Yes, but surely if it had beenbanned for years, it must have been depleted a long timeago.GENERAL NAIDOO:Chair –MR MPOFU:Otherwise if you are doing itagain now it means it was supplied during the period of theban. Am I correct?No, it's not correct	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay. GENERAL NAIDOO: The ammunition that was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right? GENERAL NAIDOO: That's correct, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay. GENERAL NAIDOO: The ammunition that was stockpiled at certain units were drawn from various	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right? GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: Now if some, if these
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay. GENERAL NAIDOO: The ammunition that was stockpiled at certain units were drawn from various stations and units and that particular stockpile was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right? GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: Now if some, if these pellets that were used at scene 2 were used by members of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay. GENERAL NAIDOO: The ammunition that was stockpiled at certain units were drawn from various stations and units and that particular stockpile was intended to be utilised until depletion. What we found in	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right? GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: Now if some, if these pellets that were used at scene 2 were used by members of the police service and if the pellets that they fired were
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Right, now – and then you kind of banned it again, January this year. GENERAL NAIDOO: Chair, not banned it. If I could explain, the arrangement was that the ammunition was placed at certain units and stations and they were no longer going to be on order and they had to be utilised for training purposes, et cetera, until they were depleted and the police were not going to buy any more of this ammunition. MR MPOFU: Yes, but surely if it had been banned for years, it must have been depleted a long time ago. GENERAL NAIDOO: Chair – MR MPOFU: Otherwise if you are doing it again now it means it was supplied during the period of the ban. Am I correct? GENERAL NAIDOO: No, it's not correct Chair. MR MPOFU: Okay. GENERAL NAIDOO: The ammunition that was stockpiled at certain units were drawn from various stations and units and that particular stockpile was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	the ammunition. The booking out of ammunition and issuing of ammunition in POPS is a very specific process. I think we dealt with it earlier in my testimony. So what I'm saying is that there was old stock of ammunition in stock and the idea was that until it was depleted it would be stored there and utilised for training exercises, et cetera. It was withdrawn from use in crowd management duties. CHAIRPERSON: I want to ask you a question about that. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: I take it when it was taken, taken out of the storeroom or this room, wherever it was stored, store – GENERAL NAIDOO: That's right. CHAIRPERSON: - notes would have been kept and registers would have been filled in. GENERAL NAIDOO: At the relevant store, yes. CHAIRPERSON: Is that right? GENERAL NAIDOO: That's correct, Chair. CHAIRPERSON: Now if some, if these pellets that were used at scene 2 were used by members of

	Page 25113		Page 25115
1	the records, should it not?	1	properly kept then as at the 16th of August, if you work
2	GENERAL NAIDOO: That's correct, Chair.	2	backwards, you should be able to tell us exactly who it was
3	CHAIRPERSON: The record – now do you	3	that booked out this particular ammunition.
4	5	4	
	know whether anyone has done any – well, you don't because		5
5	you only heard about it here today, I suppose, but you're	5	yes.
6	not aware whether any investigations were done after you	6	COMMISSIONER HEMRAJ: If they booked it
7	signed this letter in January to check whether what now had	7	out and how much is it.
8	to be handed in coincided with what was in the records?	8	GENERAL NAIDOO: The relevant store
9	GENERAL NAIDOO: Yes. Chair, as I	9	manager should be able to do that.
10	testified earlier during the first cross-examination, that	10	CHAIRPERSON: But of course if it wasn't
11	there was a particular incident that occurred in Brits	11	booked out then there'd be a shortfall.
12	which resulted in an investigation and this instruction	12	GENERAL NAIDOO: That's correct, Chair.
13	where the reconciling of all ammunition was done. I'm not	13	CHAIRPERSON: I mean the first thing to
14	aware of the outcome of the reconciling, I've since been	14	do is to check out whether all –
15	here at the Commission but that process, yes, it was	15	GENERAL NAIDOO: It's accounted for.
16	undertaken by the supply chain officials to withdraw them	16	CHAIRPERSON: - all the ammunition that's
17	from those units, reconcile them against what they say so	17	been taken out has been recorded or if there's a shortfall.
18	that we have a picture of what's happening.	18	GENERAL NAIDOO: That's right.
19	CHAIRPERSON: So has that reconciliation	19	CHAIRPERSON: If there isn't a shortfall
20	been done or is it still being done?	20	then you investigate who took out what ammunition prior to
20	GENERAL NAIDOO: Chair, it was in process	20	the 16th of August 2012.
			-
22	when I came to the Commission so it might be finished, yes.	22	GENERAL NAIDOO: Chair, yes. Chair, in
23	We can establish that.	23	the issue of Motleklong a member has been identified and he
24	MR MPOFU: So this instruction was	24	has admitted, so there is that investigation which IPID is
25	prompted, as it were, by the killings in Motleklong.	25	conducting, so we would determine the source there.
	Dage 25114		Dage 25116
1	Page 25114 GENERAL NAIDOO: By the incident in	1	Page 25116 MR MPOFU: Yes. No, no, that we
1	GENERAL NAIDOO: By the incident in	1	MR MPOFU: Yes. No, no, that we
2	GENERAL NAIDOO: By the incident in Motleklong, yes.	2	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions
	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered		MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are
2 3 4	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings,	2 3 4	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should
2 3 4 5	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years.	2 3 4 5	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was
2 3 4 5 6	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the	2 3 4 5 6	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that
2 3 4 5 6 7	GENERAL NAIDOO:By the incident inMotleklong, yes.MR MPOFU:Yes, where you had discoveredthat SSG had been used in the course of those killings,despite the fact that it had been banned for years.GENERAL NAIDOO:Chair, yes. I think theMinister did make a statement on this matter. A member	2 3 4 5 6 7	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment?
2 3 4 5 6 7 8	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as	2 3 4 5 6 7 8	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated,
2 3 4 5 6 7 8 9	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes.	2 3 4 5 6 7 8 9	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any
2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police	2 3 4 5 6 7 8 9 10	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd
2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO:By the incident inMotleklong, yes.MR MPOFU:Yes, where you had discoveredthat SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO:Chair, yes. I think theMinister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes.MR MPOFU:MR MPOFU:Yes, and you as the police leadership, you were surprised to say the least that SSG	2 3 4 5 6 7 8 9 10 11	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management.
2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather	2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the
2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not
2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an
2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re-	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re- emphasise it. We withdrew it all from all the stores.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation. MR MPOFU: Ja, alright.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re- emphasise it. We withdrew it all from all the stores. COMMISSIONER HEMRAJ: Can I just clarify	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re- emphasise it. We withdrew it all from all the stores.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation. MR MPOFU: Ja, alright.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re- emphasise it. We withdrew it all from all the stores. COMMISSIONER HEMRAJ: Can I just clarify	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation. MR MPOFU: Ja, alright. CHAIRPERSON: Mr Semenya, you heard what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: By the incident in Motleklong, yes. MR MPOFU: Yes, where you had discovered that SSG had been used in the course of those killings, despite the fact that it had been banned for years. GENERAL NAIDOO: Chair, yes. I think the Minister did make a statement on this matter. A member admitted to that issue and it's being dealt with by IPID as well as internally, yes. MR MPOFU: Yes, and you as the police leadership, you were surprised to say the least that SSG had been used by members of the police which, rather despite the fact that it had, it was a banned form of ammunition, correct? GENERAL NAIDOO: It was ammunition that was not allowed in crowd management, yes. MR MPOFU: Yes. Hence, as I say, you effectively had to reissue the banning order of this SSG or re-emphasise it, correct? GENERAL NAIDOO: Chair, we didn't re- emphasise it, We withdrew it all from all the stores. COMMISSIONER HEMRAJ: Can I just clarify something, General?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Yes. No, no, that we understand, General. I think the point of the questions I'm putting to you is that exactly these issues that are being raised by the Commissioners would have been or should have been the subject of an investigation once it was discovered that SSG had been used on the 16th. Would that be a fair comment? GENERAL NAIDOO: Chair, as I indicated, to our knowledge at that stage no SSG was issued to any member of the SAPS because it was not allowed in crowd management. MR MPOFU: Yes, but that's exactly the same situation that obtained in Motleklong but that did not stop somebody from using it, hence there is an investigation currently underway in respect of that, isn't it? GENERAL NAIDOO: Chair, yes. MR MPOFU: Ja. GENERAL NAIDOO: There is an investigation. MR MPOFU: Ja, alright. CHAIRPERSON: Mr Semenya, you heard what the witness said. I take it that when that exercise is

	Page 25117		Page 25119
1	it but if we could have the results it would be helpful.	1	Cape there, for example, so we wouldn't need the results of
2	Is there a shortfall? If there wasn't a shortfall, what is	2	the investigations in the Western Cape, as an example. And
3	revealed in relation to ammunition that was removed from	3	of course the point also relates, I suppose, to scene 1 as
4	the store in the period prior to the 16th of August 2012?	4	well because remember there were pellets fired at scene 1
5	MR SEMENYA SC: We will investigate where	5	also and again we will know who was there, from which
6	the process is and if there is a report it will be	6	province. So the same point would apply, would it not?
7	submitted to you, Chair.	7	MR MPOFU: Yes. Thank you, Chairperson.
8	CHAIRPERSON: Thank you. And if it isn't	8	But of course, General, this exercise, good as it is, would
9	available then obviously as soon as it becomes available	9	really assist us in identifying who might have removed the
10	you'll give it to us. Thank you.	10	SSG from the stores and so on but for our purposes what is
11	MR MPOFU: Chairperson, my understanding	11	important is that somebody used it, correct? Would you
12	is that there is no such process. My understanding is that	12	agree with that?
13	that process was never done because the General only learnt	13	GENERAL NAIDOO: Chair, yes, and there's
14	about this now, in relation to Marikana at least.	14	a range of possibilities, as we know that two shotguns were
15	CHAIRPERSON: Yes – yes, no, as I say, he	15	taken from the security guards. I'm not sure what
16	said that, yes but presumably the investigation will	16	ammunition those security guards were carrying as well. We
17	indicate whether there's a shortfall and they'd have to go	17	need to cross-check with that. I'm not sure forensically
18	back 10 years to see if there's a shortfall, isn't that so?	18	whether, if you look at that front of the shotgun SSG
19	They will know how much they had 10 years ago when the	19	cartridge, whether also the manufacturers can be traced so
20	prohibition went out. Every item of ammunition that's been	20	that we can sort of narrow it down to which type of
21	taken out since then has been, should have been recorded,	21	ammunition that was used.
22	so they will see whether there's a shortfall. If there's a	22	MR MPOFU: But yes, okay.
23	shortfall it means that some stuff has been irregularly or	23	CHAIRPERSON: I take it the shotguns –
24	illicitly removed from the store. If everything, there's	24	perhaps I'm wrong to say I take it because I may be
25	no shortfall, they'll then be able to see, depending how	25	incorrect but am I correct in thinking that the shotguns
	Dago 2E110		Daga 25120
1	Page 25118 far back they go – the records presumably go back 10 years	1	Page 25120 that were taken from the security guards on the Sunday the
1	far back they go – the records presumably go back 10 years	1 2	Page 25120 that were taken from the security guards on the Sunday the 12th were not recovered?
	6		that were taken from the security guards on the Sunday the
2	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult,	2	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair.
2 3	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the	2 3	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair.
2 3 4	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless	2 3 4	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them
2 3 4 5	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done.	2 3 4 5	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The
2 3 4 5 6	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes.	2 3 4 5 6	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting
2 3 4 5 6 7	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce	2 3 4 5 6 7	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be
2 3 4 5 6 7 8	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results.	2 3 4 5 6 7 8	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting
2 3 4 5 6 7 8 9	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you.	2 3 4 5 6 7 8 9	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be
2 3 4 5 6 7 8 9 10	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an	2 3 4 5 6 7 8 9 10	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but -
2 3 4 5 6 7 8 9 10 11	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to	2 3 4 5 6 7 8 9 10 11	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes.
2 3 4 5 6 7 8 9 10 11 12	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us.	2 3 4 5 6 7 8 9 10 11 12	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be
2 3 4 5 6 7 8 9 10 11 12 13	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you,	2 3 4 5 6 7 8 9 10 11 12 13	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered.
2 3 4 5 6 7 8 9 10 11 12 13 14	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson.	2 3 4 5 6 7 8 9 10 11 12 13 14	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just
2 3 4 5 6 7 8 9 10 11 12 13 14 15	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out	2 3 4 5 6 7 8 9 10 11 12 13 14 15	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well. So that reconciliation may prove to be nationwide.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I think one can – I mean here could be a whole host of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well. So that reconciliation may prove to be nationwide. CHAIRPERSON: Alternatively, it should be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I think one can – I mean here could be a whole host of fanciful possibilities. Maybe someone was just walking
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well. So that reconciliation may prove to be nationwide. CHAIRPERSON: Alternatively, it should be done nationwide but as far as those people involved at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I think one can – I mean here could be a whole host of fanciful possibilities. Maybe someone was just walking past the koppie and sommer shot with SSG but I mean the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well. So that reconciliation may prove to be nationwide. CHAIRPERSON: Alternatively, it should be done nationwide but as far as those people involved at koppie 3 are concerned, scene 2, we'll know which provinces	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I think one can – I mean here could be a whole host of fanciful possibilities. Maybe someone was just walking past the koppie and sommer shot with SSG but I mean the likelihood, you would agree, is that it was, as in this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	far back they go – the records presumably go back 10 years – they'll be able to say who took out ammunition in the period before the 16th of August 2012. It may be difficult, that may be where the trail would dry out but nevertheless there's clearly investigation to be done. MR MPOFU: Yes. CHAIRPERSON: And which may well produce results. MR MPOFU: Thank you. CHAIRPERSON: And we've got an undertaking that once that's completed it will be given to us. MR MPOFU: It will be done. Thank you, Chairperson. MR SEMENYA SC: Chair, it's pointed out to me that perhaps one of the other complicating factors is that this exercise may be happening in North-West when we know on the 16th we had people from other provinces as well. So that reconciliation may prove to be nationwide. CHAIRPERSON: Alternatively, it should be done nationwide but as far as those people involved at koppie 3 are concerned, scene 2, we'll know which provinces they came from. So for our purposes I suppose we'd only	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that were taken from the security guards on the Sunday the 12th were not recovered? GENERAL NAIDOO: No, Chair. CHAIRPERSON: So, well, I suppose it's technically possible that someone might have smuggled them off koppie 3 without it being detected on the 16th. The probability is that they wouldn't have succeeded in getting them away so if they had been used they are likely to be found on the scene. I know that's not very watertight but - GENERAL NAIDOO: Chair, yes. CHAIRPERSON: - it is a factor to be considered. GENERAL NAIDOO: Chair, yes. I'm just including the whole permutation, the possible sources of the shotguns are, which can be traced I'm sure if we look at some of the evidence that's recovered. MR MPOFU: Ja. No, of course, General, I think one can – I mean here could be a whole host of fanciful possibilities. Maybe someone was just walking past the koppie and sommer shot with SSG but I mean the likelihood, you would agree, is that it was, as in this case of Motleklong, used by a member of the police.

	Page 25121		Page 25123
1	MR MPOFU: Yes, but that falls under the	1	MR MPOFU: Ja. If that system is broken
2	fanciful possibilities. I'm saying that – let's even say	2	down then it would be difficult, if not impossible, to
3	we include all fanciful possibilities, the mere fact, even	3	trace who took what and what came back and so on.
4	if you don't exclude any of the fanciful possibilities, the	4	GENERAL NAIDOO: Chair, I am not sure
5	mere fact that a banned form of ammunition was spotted	5	when you say broken down, then not working –
6	among, at the scene, should have been sufficient for the	6	MR MPOFU: As in – ja, breached. In
7	police to investigate how that came about, correct?	7	other words if somebody takes 10, a gun with 10 bullets but
8	GENERAL NAIDOO: Chair, yes, if that was	8	we don't know whether he came back with it or how many
9	brought to our attention. As you know, that the	9	bullets were in it when it came back then the whole system
10	investigation on the scene is not being led by the police.	10	would collapse.
11	MR MPOFU: Yes, and fortunately in the	11	GENERAL NAIDOO: Of course, yes.
12	case of Motleklong we don't have to go through all these	12	MR MPOFU: Thanks. Now what happened to
13	fanciful possibilities because there it is know that this	13	your gun, the one that you fired twice?
14	was fired by the police, correct?	14	GENERAL NAIDOO: What about it, Chair?
15	GENERAL NAIDOO: It was identified, yes.	15	MR MPOFU: Where is it?
16	MR MPOFU: Thank you. Now while we are	16	GENERAL NAIDOO: I have received it back
17	on the subject of withdrawal from the stores and, you know,	17	from IPID.
18	methods of tracing ammunition, you would agree that the	18	MR MPOFU: Did it go for ballistic
19	time tested method of collating ammunition taken by a	19	testing?
20	particular member is the method whereby you book your	20	GENERAL NAIDOO: Yes, Chair.
21	firearm out, if it has 10 bullets it has 10 bullets and	21	MR MPOFU: Do you know, or rather let me
22	then you book it back, if it has six bullets it means you	22	start by doing this. There's a document which is part of
23	used four. That's the simplest and oldest way of dealing	23	those documents that were sent to you, it comes from the
24	with that issue, correct?	24	IPID file 4, I think.
25	GENERAL NAIDOO: Correct.	25	GENERAL NAIDOO: Chair –
-			
	Dogo 25122		Dogo 25124
1	Page 25122 MR MPOFU: Ja. Now. and it would be	1	Page 25124 MR MPOFU: It's headed, maybe for the
1	MR MPOFU: Ja. Now, and it would be	1 2	MR MPOFU: It's headed, maybe for the
1 2 3	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be		MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle
2	MR MPOFU: Ja. Now, and it would be	2	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got
2 3	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos.	2 3	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle
2 3 4	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I	2 3 4	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit?
2 3 4 5	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the	2 3 4 5	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson?
2 3 4 5 6	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the	2 3 4 5 6	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit –
2 3 4 5 6 7	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated	2 3 4 5 6 7	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet.
2 3 4 5 6 7 8	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the	2 3 4 5 6 7 8	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52
2 3 4 5 6 7 8 9	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different.	2 3 4 5 6 7 8 9	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet.
2 3 4 5 6 7 8 9 10	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different.	2 3 4 5 6 7 8 9 10	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52
2 3 4 5 6 7 8 9 10 11	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm	2 3 4 5 6 7 8 9 10 11	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" –
2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of	2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because –
2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition.	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53.
2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some
2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns –	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that, in general, the time tested method of collating the use of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes. CHAIRPERSON: We'll make it 53.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that, in general, the time tested method of collating the use of ammunition?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes. CHAIRPERSON: We'll make it 53. MR MPOFU: Thank you, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that, in general, the time tested method of collating the use of ammunition? MERAL NAIDOO: Well, the method of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes. CHAIRPERSON: We'll make it 53. MR MPOFU: Thank you, Chair. CHAIRPERSON: "Report by commander" – is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that, in general, the time tested method of collating the use of ammunition? GENERAL NAIDOO: Well, the method of collating the use of ammunition is the amount that's booked	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes. CHAIRPERSON: We'll make it 53. MR MPOFU: Thank you, Chair. CHAIRPERSON: "Report by commander" – is this SAPS15 or 16?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Ja. Now, and it would be impossible, if you break that system then it might well be impossible to find out who shot what. It would just be chaos. GENERAL NAIDOO: Chair, no. I think I already testified to the way the public order police, the people who use shotguns in the police, how they book the ammunition out. I have testified and it's not as indicated by the counsel. Their method of issuing ammunition is a little bit different. MR MPOFU: Yes, no, I accept that. I'm just saying in general that is how the police keep track of ammunition. GENERAL NAIDOO: Chair, but we can't generalise when it comes to the public order police because they have, they are currently the users of shotguns – MR MPOFU: I'm not talking about public order police, General, just answer the question. Is that, in general, the time tested method of collating the use of ammunition? GENERAL NAIDOO: Well, the method of collating the use of ammunition is the amount that's booked out versus what's booked in, with specific report.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: It's headed, maybe for the operator – Chairperson, it would have come with that bundle but it's a loose page headed "Report by commander." Got it, thank you. CHAIRPERSON: That's not an exhibit? MR MPOFU: Let's call it 52, Chairperson? CHAIRPERSON: That's not an exhibit – MR MPOFU: No, it's not yet. CHAIRPERSON: It'll be part of the 52 series so we'll make it 52.7 and it's "Report by commander" – MR MPOFU: Can we make it 53 because – CHAIRPERSON: Alright, I'll make it 53. [14:15] MR MPOFU: 53, ja. There's some confusion – CHAIRPERSON: Maybe after 50 – yes, alright, okay. MR MPOFU: Yes. CHAIRPERSON: We'll make it 53. MR MPOFU: Thank you, Chair. CHAIRPERSON: "Report by commander" – is this SAPS15 or 16? GENERAL NAIDOO: 15.

Tel: 011 021 6457 Fax: 011 440 9119

	Page 25125		Page 25127
1	it?	1	GENERAL NAIDOO: Chair –
2	MR MPOFU: 16th August 2012, Chairperson,	2	CHAIRPERSON: Is that correct?
3	to 17th August 2012.	3	GENERAL NAIDOO: As I indicated, there's
4	CHAIRPERSON: 16/8/2012 to 17/8/2012.	4	two things that happen. One is that there is a duty
5	This will be MMM53.	5	officer that attends to the issue of the shooting. We
6	MR MPOFU: Yes, thank you, Chair. That	6	dealt with that where there was a duty officer from
7	document, among others, would show us when somebody checked	7	Marikana who attended but he could not give the detail as
8	out, as it were, and that would be the time when the	8	much as he wanted and the second thing is that you report
9	exercise I've just described would be done, correct, in	9	it to, in this case, the JOC or if you're at a station, to
10	relation to ammunition?	10	the community service centre, you report it there. So the
11	GENERAL NAIDOO: Chair, no. This is not	11	report of the shooting is normally dealt with by the duty
12	for booking out of ammunition, it's just a register to book	12	officer.
13	on duty, yes. It's not a firearm register as such.	13	MR MPOFU: Okay, ja –
14	MR MPOFU: Yes, I accept that. I know	14	GENERAL NAIDOO: I'm not required, other
15	it's not a firearm register. I'm saying the times at which you assumed possession of certain ammunition and the time	15	than my statement which I have to submit, I'm not required
16		16	to complete any other form, sir.
17 18	at which you surrender it back would coincide with those times, correct?	17 18	MR MPOFU: Even if you have discharged
10	GENERAL NAIDOO: Chair, no. I won't	18	your firearm? GENERAL NAIDOO: That's the duty officer
20	agree with that because in terms of, now we're talking	20	who completes it. You don't, the shottist himself does not
20	about myself, I'm issued with a personal firearm which is	20 21	complete –
22	on my equipment sheet. So I do not book my firearm in and	21	CHAIRPERSON: You presumably then have to
23	out. I am permanently in possession of my firearm with the	22	provide information –
23	allocated number of rounds that are issued to me.	23	GENERAL NAIDOO: To the duty officer.
25	MR MPOFU: Okay, maybe let me ask it	25	CHAIRPERSON: To the duty officer.
		20	
	Page 25126		Page 25128
1	differently. If it so happened that on a particular day	1	GENERAL NAIDOO: That's correct, Chair.
2	you have – that much will be so on these normal days but if	2	CHAIRPERSON: To enable him or her –
3	it happens on a particular day that you have discharged	3	GENERAL NAIDOO: That's correct.
4	your firearm, would that be the time at which you collate	4	CHAIRPERSON: To fill in the form.
5	the ammunition issued?	5	GENERAL NAIDOO: That's correct, Chair.
6	GENERAL NAIDOO: Chair, no. I think	6	CHAIRPERSON: Okay.
7	we're talking past each other. When you say collate, I'm	7	MR MPOFU: Yes. Sorry, Chair. And that
8 9	not sure exactly what is meant. MR MPOFU: Okay. I'm saying on a normal	8 9	would be at the time when you knock off duty, correct? GENERAL NAIDOO: At the time of the
	5 5 5		
10 11	day it might well be that your personal firearm doesn't have to be declared, so let's put that aside and say I	10 11	incident, yes. MR MPOFU: No, no. The incident could
12	accept that.	12	happen in a supermarket. I'm saying the time at which you
13	GENERAL NAIDOO: Okay.	12	report about the firearms would be when you now report off
14	MR MPOFU: I'm saying now on a day when	14	duty to the duty officer, correct?
	with wind to. The saying now on a day when	14	GENERAL NAIDOO: Chair, I think we're
15	you have shot at people or whatever it is –		
15 16	you have shot at people or whatever it is – CHAIRPERSON: Simply say discharged your	16	missing the point. The duty officer goes out to where the
16	CHAIRPERSON: Simply say discharged your	16 17	missing the point. The duty officer goes out to where the discharging of the firearm took place and completes a
16 17	CHAIRPERSON: Simply say discharged your firearm, I think that would be –	17	discharging of the firearm took place and completes a
16 17 18	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm		discharging of the firearm took place and completes a report on the scene and the duty officer takes the process
16 17	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances.	17 18	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward.
16 17 18 19	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances. CHAIRPERSON: I take it he may well fire	17 18 19	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward. MR MPOFU: General, I think –
16 17 18 19 20	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances.	17 18 19 20	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward. MR MPOFU: General, I think –
16 17 18 19 20 21	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances. CHAIRPERSON: I take it he may well fire his, discharge his firearm for practice purposes.	17 18 19 20 21	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward. MR MPOFU: General, I think – CHAIRPERSON: I think Mr Mpofu is
16 17 18 19 20 21 22	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances. CHAIRPERSON: I take it he may well fire his, discharge his firearm for practice purposes. MR MPOFU: Yes.	17 18 19 20 21 22	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward. MR MPOFU: General, I think – CHAIRPERSON: I think Mr Mpofu is interested to know when the report was made.
 16 17 18 19 20 21 22 23 24 	CHAIRPERSON: Simply say discharged your firearm, I think that would be – MR MPOFU: Yes, discharged your firearm in whatever circumstances. CHAIRPERSON: I take it he may well fire his, discharge his firearm for practice purposes. MR MPOFU: Yes. CHAIRPERSON: So I take it whenever you	 17 18 19 20 21 22 23 	discharging of the firearm took place and completes a report on the scene and the duty officer takes the process forward. The shottist does not take the process forward. MR MPOFU: General, I think – CHAIRPERSON: I think Mr Mpofu is interested to know when the report was made. GENERAL NAIDOO: Yes.

	Page 25129	1	Page 25131
1	a different question, let's assume we're talking about	1	GENERAL NAIDOO: Chair, I knocked off
2	shots that were fired when you were on duty. I take it the	2	almost the next morning, yes. The time when I knocked off
3	answer is that before going off duty – GENERAL NAIDOO: Yes.	3 4	the people that were on duty with me had already gone off duty, so the going off duty, I don't see the relationship
4 5	GENERAL NAIDOO: Yes. CHAIRPERSON: - you would report it to	4 5	between it and the reporting of the shooting incident which
6	the duty officer.	6	I've already testified to.
7	GENERAL NAIDOO: That's correct.	7	MR MPOFU: Ja. Well, General, all I'm
8	CHAIRPERSON: You wouldn't necessarily do	8	saying is that there must be a purpose why the other
9	it as you go off duty but you would do it before, at some	9	generals had to indicate with a signature their time of
10	stage before you go off duty. Is that correct?	10	going off duty.
11	GENERAL NAIDOO: Let me clarify, Chair.	11	GENERAL NAIDOO: Of course.
12	You have to report it to the duty officer immediately. The	12	MR MPOFU: Yes and I'm saying, I'm not
13	duty officer has to attend it as it happens.	13	saying it's the sole purpose but I'm saying one of those
14	MR MPOFU: Okay, almost instantaneously?	14	purposes is that it would make it possible between point A,
15	GENERAL NAIDOO: As soon as possible,	15	which is going on duty, and point B to be able to find out,
16	yes.	16	among other things, what happened to whatever ammunition or
17	MR MPOFU: Ja. So when you discharged	17	firearm they might have been carrying. Would you agree
18	your firearm twice did you instantaneously report to the	18	that there is at least that possible relationship between
19	duty officer?	19	the two things?
20	GENERAL NAIDOO: I reported to the JOC,	20	GENERAL NAIDOO: Chair, I'm not sure.
21	yes.	21	Maybe it can be explained to me more, in a different
22	MR MPOFU: Is the JOC the same thing as	22	fashion and maybe I'll understand it.
23	the duty officer?	23	MR MPOFU: Okay. Let me put it this way.
24	GENERAL NAIDOO: Well, in terms of the	24	If I were to say to you I'm disputing the fact that you
25	operation, yes, that would be the process and the JOC did	25	only fired two shots, you fired 20 shots –
	Page 25130		Page 25132
1	activate the duty officer from Marikana who did submit a	1	GENERAL NAIDOO: Yes, Chair.
2	activate the duty officer from Marikana who did submit a report.	2	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an
2 3	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well,	2 3	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example.
2 3 4	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look	2 3 4	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes.
2 3 4 5	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think	2 3 4 5	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you
2 3 4 5 6	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with	2 3 4 5 6	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you
2 3 4 5 6 7	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature.	2 3 4 5 6 7	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I
2 3 4 5 6 7 8	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair.	2 3 4 5 6 7 8	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time
2 3 4 5 6 7 8 9	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have	2 3 4 5 6 7 8 9	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I
2 3 4 5 6 7 8 9 10	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you	2 3 4 5 6 7 8 9 10	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be
2 3 4 5 6 7 8 9 10 11	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty.	2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be available to you but if you have a blank thing like this
2 3 4 5 6 7 8 9 10 11 12	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair.	2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be available to you but if you have a blank thing like this which means you still haven't knocked off since August –
2 3 4 5 6 7 8 9 10 11 12 13	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is	2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be available to you but if you have a blank thing like this which means you still haven't knocked off since August – GENERAL NAIDOO: Chair, the person who I
2 3 4 5 6 7 8 9 10 11 12 13 14	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be available to you but if you have a blank thing like this which means you still haven't knocked off since August – GENERAL NAIDOO: Chair, the person who I reported the matter would be the appropriate person to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that	2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not sign
2 3 4 5 6 7 8 9 10 11 12 13 14	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences	2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went off
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had already
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had alreadygone and I could not locate this sheet.That's all it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had alreadygone and I could not locate this sheet.That's all itlocates, that's all it indicates.It does in no way have a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct? GENERAL NAIDOO: That's correct, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had alreadygone and I could not locate this sheet.That's all it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Yes. Now the question is,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had alreadygone and I could not locate this sheet.That's all itlocates, that's all it indicates.It does in no way have abearing on the number of shots I fired.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct? GENERAL NAIDOO: That's correct, Chair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Yes, Chair. MR MPOFU: Ja, I'm just making an example. GENERAL NAIDOO: Yes. MR MPOFU: One of the ways in which you could counteract my statement would be to say, how can you say that because I signed on duty at 5 o'clock and I signed, with 10 bullets, and I signed off duty at X time with eight bullets, so clearly during the relevant period I only fired two shots. I'm just saying that that would be available to you but if you have a blank thing like this which means you still haven't knocked off since August – GENERAL NAIDOO: Chair, the person who I reported the matter would be the appropriate person to indicate in terms of this. The fact that I did not sign off the register merely meant that the time when I went off duty that the people that were normally on duty had already gone and I could not locate this sheet. That's all it locates, that's all it indicates. It does in no way have a bearing on the number of shots I fired. As I indicated, the two instances, the JOC commander was made aware of the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Yes. Now the question is, insofar as there's any relationship between going off duty	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO:Yes, Chair.MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes.MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August –GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person toindicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had alreadygone and I could not locate this sheet.that's all it indicates.t does in no way have abearing on the number of shots I fired.As I indicated,the two instances, the JOC commander was made aware of thefact of the shooting, the JOC commander also activated the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	activate the duty officer from Marikana who did submit a report. MR MPOFU: Yes and that was done – well, okay, let me just cut it short by saying this. If you look at MMM53 you will see that both General Mpembe and I think Annandale signed on duty with a signature and off duty with a time and a signature. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: But in your case we only have your signature on duty and, unlike the other generals, you did not declare when you went off duty. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Now, the point I'm making is that insofar as there may be any coincidence and it might not be instantaneously at the time of going off duty, that I accept, but insofar as there may be any coincidences going off duty or – firstly, of those three generals there you were the only one who discharged your firearm, to your knowledge, correct? GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Yes. Now the question is, insofar as there's any relationship between going off duty and anybody having a record of how many shots you have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO:Yes, Chair. MR MPOFU:MR MPOFU:Ja, I'm just making anexample.GENERAL NAIDOO:Yes. MR MPOFU:One of the ways in which youcould counteract my statement would be to say, how can yousay that because I signed on duty at 5 o'clock and Isigned, with 10 bullets, and I signed off duty at X timewith eight bullets, so clearly during the relevant period Ionly fired two shots.I'm just saying that that would beavailable to you but if you have a blank thing like thiswhich means you still haven't knocked off since August – GENERAL NAIDOO:Chair, the person who Ireported the matter would be the appropriate person to indicate in terms of this.The fact that I did not signoff the register merely meant that the time when I went offduty that the people that were normally on duty had already gone and I could not locate this sheet.I coates, that's all it indicates.It does in no way have abearing on the number of shots I fired.As I indicated, the two instances, the JOC commander was made aware of the fact of the shooting, the JOC commander also activated the duty officer who completed the duty officer's report.

1	Page 25133 number of rounds I shot.	1	Page 25135 So what he was saying was there were a number, as I
2	COMMISSIONER HEMRAJ: Who was the duty	2	understand it, there were a number of people lying down but
3	that came from Marikana, do you know?	3	only two of them were dead, the others were still alive. I
4	GENERAL NAIDOO: I can check. I know	4	understand that to be the thrust of what he's saying but he
5	there was a duty officer's report, we can check it.	5	did say only two is correct but that appears to be the
6	COMMISSIONER HEMRAJ: So somewhere there		context in that paragraph. There may be something more in
7	must be a document that he's completed that indicates how	7	the passage in the record that you want to quote.
8	many shots were fired by you?	, 8	MR MPOFU: Okay. Well, whatever. The
9	GENERAL NAIDOO: That he attended the	9	point is that –
10	shooting and – there are specific questions to be asked in	10	CHAIRPERSON: What was the passage that
11	terms of that, yes.	11	you, you referred to a passage in the record but does it
12	COMMISSIONER HEMRAJ: And that document	12	effectively say the same thing?
13	would indicate how many shots you reported having shot?	13	MR MPOFU: Yes, Chairperson, it's on page
14	GENERAL NAIDOO: That shows to – yes.	14	
15	MR MPOFU: Okay. In any event, okay,	15	CHAIRPERSON: Yes, no, we've got it.
16	we'll leave that for argument but related to that, you – at	16	It's page 22942.
17	the very least you've admitted to having shot twice at the	17	MR MPOFU: Yes.
18	strikers, correct?	18	CHAIRPERSON: Which is day 189.
19	GENERAL NAIDOO: I did, Chair.	19	MR MPOFU: Ja.
20	MR MPOFU: And you've admitted that you	20	CHAIRPERSON: And it's lines 8 to 11.
21	may have injured or killed one or two people.	21	It's effectively Mr Semenya reading from, the passage from
22	GENERAL NAIDOO: Chair, that's not what I	22	the statement that I think I've read.
23	admitted. I said that it's unknown.	23	MR MPOFU: Ja.
24	MR MPOFU: Yes, unknown but it's	24	CHAIRPERSON: That's where the only two
25	possible, correct?	25	comes from and he agrees and then explains that there were
	Page 25134		Page 25136
1	GENERAL NAIDOO: Probable, yes.	1	others who were lying between the bodies of the shot
2	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is	2	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you.
2 3	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in	2 3	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context
2 3 4	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you	2 3 4	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just
2 3 4 5	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that area	2 3 4 5	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a
2 3 4 5 6	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been	2 3 4 5 6	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons.
2 3 4 5 6 7	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct?	2 3 4 5 6 7	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of
2 3 4 5 6 7 8	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't	2 3 4 5 6 7 8	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived
2 3 4 5 6 7 8 9	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two	2 3 4 5 6 7 8 9	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought
2 3 4 5 6 7 8 9 10	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrested	2 3 4 5 6 7 8 9 10	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only
2 3 4 5 6 7 8 9 10 11	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity.	2 3 4 5 6 7 8 9 10 11	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were
2 3 4 5 6 7 8 9 10 11 12	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrestedwith firearms in that particular vicinity.MR MPOFU:Okay, can you go to page	2 3 4 5 6 7 8 9 10 11 12	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that.
2 3 4 5 6 7 8 9 10 11 12 13	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrestedwith firearms in that particular vicinity.MR MPOFU:Okay, can you go to page22942, I think it's day 189.	2 3 4 5 6 7 8 9 10 11 12 13	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept
2 3 4 5 6 7 8 9 10 11 12 13 14	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrestedwith firearms in that particular vicinity.MR MPOFU:Okay, can you go to page22942, I think it's day 189.CHAIRPERSON:Well, is it only two? I	2 3 4 5 6 7 8 9 10 11 12 13 14	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrestedwith firearms in that particular vicinity.MR MPOFU:Okay, can you go to page22942, I think it's day 189.CHAIRPERSON:Well, is it only two? Isee in paragraph 26, sorry, paragraph 76 –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm
2 3 4 5 6 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:Probable, yes.MR MPOFU:Ja. Now insofar as it ispossible that you may have killed one or two people, inrelation to – in fact your evidence was that after youdischarged your shots, when you then proceeded to that areathere were, to use your words, only two people had beenkilled, correct?GENERAL NAIDOO:No, Chair. I don'tremember such words. I think what I indicated for twopeople was that there were two people that were arrestedwith firearms in that particular vicinity.MR MPOFU:Okay, can you go to page22942, I think it's day 189.CHAIRPERSON:Well, is it only two? Isee in paragraph 26, sorry, paragraph 76 –	2 3 4 5 6 7 8 9 10 11 12 13 14 15	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108. CHAIRPERSON: I think the thrust of it is	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two persons who were killed, only two of them in whatever
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108. CHAIRPERSON: I think the thrust of it is – perhaps I can read the paragraph. Well, it's on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two persons who were killed, only two of them in whatever context, have been those people?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108. CHAIRPERSON: I think the thrust of it is – perhaps I can read the paragraph. Well, it's on the screen now. "In our forward movement to the first bodies	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two persons who were killed, only two of them in whatever context, have been those people? GENERAL NAIDOO: No, Chair. Those people
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108. CHAIRPERSON: I think the thrust of it is – perhaps I can read the paragraph. Well, it's on the screen now. "In our forward movement to the first bodies among the rocks which I observed on my arrival, we	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two persons who were killed, only two of them in whatever context, have been those people? GENERAL NAIDOO: No, Chair. Those people were at the shooting that I arrived at. It was not the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: Probable, yes. MR MPOFU: Ja. Now insofar as it is possible that you may have killed one or two people, in relation to – in fact your evidence was that after you discharged your shots, when you then proceeded to that area there were, to use your words, only two people had been killed, correct? GENERAL NAIDOO: No, Chair. I don't remember such words. I think what I indicated for two people was that there were two people that were arrested with firearms in that particular vicinity. MR MPOFU: Okay, can you go to page 22942, I think it's day 189. CHAIRPERSON: Well, is it only two? I see in paragraph 26, sorry, paragraph 76 – MR MPOFU: 76? CHAIRPERSON: 76 of exhibit JJJ108. MR MPOFU: JJJ108. CHAIRPERSON: I think the thrust of it is – perhaps I can read the paragraph. Well, it's on the screen now. "In our forward movement to the first bodies among the rocks which I observed on my arrival, we discovered that only two of the strikers were shot and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	others who were lying between the bodies of the shot strikers seeking refuge, so – as I put it to you. MR MPOFU: Ja, okay, whatever the context was, the point is that after you had shot twice, I'm just relating it to the fact that I'm saying there's a possibility that you killed one or two persons. GENERAL NAIDOO: Chair, the context of that particular statement was with regard to when I arrived at the NIU line and we went forward to where we thought there were about five people that had been shot and only two of those people had been shot, three of them were uninjured. That is the context in terms of that. MR MPOFU: Ja, that's fine, I accept that. GENERAL NAIDOO: Yes. MR MPOFU: I'm saying you, that – I'm saying this in relation to the fact that you may have killed one or two persons and I'm saying could these two persons who were killed, only two of them in whatever context, have been those people? GENERAL NAIDOO: No, Chair. Those people were at the shooting that I arrived at. It was not the people that were involved in the incident with myself so –

	Page 25137		Page 25139
1	past each other in terms of –	1	GENERAL NAIDOO: R5s, Chair, and 9
2	MR MPOFU: No, we're not. You've	2	millimetres.
3	clarified what I was asking. So the one or two persons	3	CHAIRPERSON: And?
4	that you may have killed would have been at a different	4	GENERAL NAIDOO: As well as 9 millimetre.
5	location, is that what you're saying?	5	CHAIRPERSON: And 9 millimetre, I see.
6	GENERAL NAIDOO: Chair, I don't recall	6	MR MPOFU: And you – sorry.
7	indicating where people I may have killed, I indicated the	7	CHAIRPERSON: And K9, what were they
8	area where I discharged my firearm.	8	using? The K9 people, what were they using?
9	MR MPOFU: Brigadier Naidoo, please.	9	GENERAL NAIDOO: The same R5s and 9
10	GENERAL NAIDOO: I've been demoted.	10	millimetre.
11	MR MPOFU: You and – I don't want to walk	11	CHAIRPERSON: I see. And among the – I
12	-	12	don't know whether you can tell us this but I'm sure we can
13	CHAIRPERSON: You've just demoted him.	13	find that out if you can't tell us, the dead bodies that
14	MR MPOFU: Oh yes, I have. General	14	were found at scene 2, do we know how many of them died as
15	Naidoo, Doctor, I don't want us to cover the ground that	15	a result of R5 fire and how many died as a result of being
16	we've already covered. You and I today and on Friday I	16	shot by a pistol?
17	think, or whenever the last time was, have agreed that you	17	GENERAL NAIDOO: Chair, offhand I don't
18	may have killed one or two people.	18	know but in the previous cross-examination we dealt mostly
19	GENERAL NAIDOO: No, Chair –	19	with high velocity. There were one or two that were lower
20	MR MPOFU: If not – oh, sorry, okay.	20	velocity but the majority were high velocity, yes.
21	Just give your explanation?	21	MR MPOFU: Yes, General, and I just want
22	GENERAL NAIDOO: I think we indicated the	22	to assure you I'm not – whether, who those people that you
23	possibility of somebody being killed or injured. We never	23	may have killed and so on would be a subject of a different
24	indicated numbers, et cetera.	24	process, probably in the criminal courts, ja, if you are
25	MR MPOFU: Yes, okay fine. Okay, so you	25	ever charged but all I need for the purposes of this
		1	
1	Page 25138	1	Page 25140
1	only admit that you may have killed or injured one person.	1	Commission is that you, there's a possibility that you may
2	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated	2	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe
2 3	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a	2 3	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because
2 3 4	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by	2 3 4	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as
2 3 4 5	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence.	2 3 4 5	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should
2 3 4 5 6	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the	2 3 4 5 6	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not,
2 3 4 5 6 7	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed.	2 3 4 5 6 7	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two
2 3 4 5 6	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course.	2 3 4 5 6	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson
2 3 4 5 6 7 8	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand?	2 3 4 5 6 7 8	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with.
2 3 4 5 6 7 8 9	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand?	2 3 4 5 6 7 8 9	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get
2 3 4 5 6 7 8 9 10	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair.	2 3 4 5 6 7 8 9 10	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with.
2 3 4 5 6 7 8 9 10 11	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing	2 3 4 5 6 7 8 9 10 11	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths?
2 3 4 5 6 7 8 9 10 11 12	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people,	2 3 4 5 6 7 8 9 10 11 12	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots
2 3 4 5 6 7 8 9 10 11 12 13	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct?	2 3 4 5 6 7 8 9 10 11 12 13	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one
2 3 4 5 6 7 8 9 10 11 12 13 14	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes.	2 3 4 5 6 7 8 9 10 11 12 13 14	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the
2 3 4 5 6 7 8 9 10 11 12 13 14 15	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was referring to you now?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some invocation of the doctrine of common purpose, you'll have
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was referring to you now? GENERAL NAIDOO: Yes, Chair. Those two	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some invocation of the doctrine of common purpose, you'll have difficulty charging anybody with murder. The most you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was referring to you now? GENERAL NAIDOO: Yes, Chair. Those two were among the bodies that we already testified to that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some invocation of the doctrine of common purpose, you'll have difficulty charging anybody with murder. The most you could do would be to charge them with attempted murder.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was referring to you now? GENERAL NAIDOO: Yes, Chair. Those two were among the bodies that we already testified to that were engaged with the shooting with the NIU when I arrived	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some invocation of the doctrine of common purpose, you'll have difficulty charging anybody with murder. The most you could do would be to charge them with attempted murder. MR MPOFU: So Chairperson, if there are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	only admit that you may have killed or injured one person. GENERAL NAIDOO: No, I think we indicated that as a result of my shooting there may have been a person injured or killed but that has not been proved by other evidence. MR MPOFU: Yes, that's why I used the word "may." If it was proved I would say you killed. GENERAL NAIDOO: Of course. MR MPOFU: Do you understand? GENERAL NAIDOO: I understand, Chair. MR MPOFU: Ja. I'm saying to you, seeing that you shot twice you may have killed one or two people, correct? GENERAL NAIDOO: May have, yes. MR MPOFU: Yes, thank you. Now seeing that you may have killed one or two people, is your evidence that those two people would have been at a different location as against these two that I was referring to you now? GENERAL NAIDOO: Yes, Chair. Those two were among the bodies that we already testified to that were engaged with the shooting with the NIU when I arrived at the NIU. This is completely a different incident.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Commission is that you, there's a possibility that you may have killed one or two persons or injured them. And maybe while we are there, for the record I must say that because of that we will recommend that you should be charged as accused number 7 in the list of public officials who should be charged with murder. In your case it would be not, well, it would principally be because of those one or two deaths, possible, or any other deaths that Mr Chaskalson and I think Mr Ntsebeza dealt with. MR SEMENYA SC: Chair, do people get prosecuted for possible deaths? MR MPOFU: Well, yes. If a person shoots at a crowd of people and two of them die, I'm sure no-one else would be prosecuted except the shooter, or the shottist. CHAIRPERSON: A number of people shot and you can't link any bullets fired by any shottist to any dead body, you'll then have difficulty, absent some invocation of the doctrine of common purpose, you'll have difficulty charging anybody with murder. The most you could do would be to charge them with attempted murder. MR MPOFU: So Chairperson, if there are two people who shoot at a crowd of 1 000 and five of them

	Page 25141		Page 25143
1	those people would be charged with murder.	1	very clear. There were two legs of the operation that
2	CHAIRPERSON: Mr Mpofu, I didn't say	2	needed to be supported. One was the investigation leg and
3	that. I didn't say that at all.	3	one was the public order situation and nowhere did I
4	[14:35] If there's a crowd of a thousand people, two	4	indicate the issues of prosecution. The police's
5	people shoot at them and there are five dead and the	5	responsibility is to conduct investigations and that's all.
6	circumstances are such that defence of self-defence or	6	MR MPOFU: General, are you aware – I'm
7	private defence isn't available, it may be impossible to	7	not saying that you have given this evidence yourself, and
8	link either of the two shottists with any of the five	8	I can't locate it now but I'm saying are you aware or
9	deaths, but both shottists on those facts could be charged	9	you're not aware that the National Commissioner in
10	with attempted murder and in all probability neither of	10	recommending the drastic escalation among other things was
11	them would go home. That's the answer to you –	11	desirous of the fact that the people who had killed the
12	MR MPOFU: Thank you. Well, that's all	12	police should be brought to book?
13	I'm saying then. Insofar as you were one of the people who	13	GENERAL NAIDOO: Chair, that's why I'm
14	shot, and it may be possible, as the Chairperson says, to	14	saying the National Commissioner agreed to the escalation
15	link the deaths, then we're going to recommend that you	15	of resources to support the investigation.
16	should be charged. I'm not saying that you should be	16	MR MPOFU: Only she just stop at
17	convicted. It might well be that all these fancy	17	investigation. She didn't say those people should be
18	explanations might hold water. I'm just saying that –	18	brought to book?
19	CHAIRPERSON: I don't know whether it's	19	GENERAL NAIDOO: Chair, I'm not going to
20	fair to describe them as fancy explanations, and –	20	put – I don't have the National Commissioner's exact
21	MR MPOFU: Okay, or at least possibility.	21	words –
22	CHAIRPERSON: It's never sensible to	22	CHAIRPERSON: Mr Mpofu, the police don't
23	charge people if they're likely to be acquitted. That can	23	normally undertake investigations of crimes unless they
24	be an abuse of the prosecutorial function as well.	24	think that there's a prospect of them finding the persons
25	MR MPOFU: Yes.	25	responsible –
	Dago 25142		Dogo 25144
1	Page 25142 CHAIRPERSON: So but these are matters –	1	Page 25144 MR MPOFU: Yes.
1 2	•	1	
	CHAIRPERSON: So but these are matters –		MR MPOFU: Yes.
2	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding –	2	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just
2 3	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.	2 3	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they
2 3 4	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'm	2 3 4	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably
2 3 4 5	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal. We're not going	2 3 4 5	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which
2 3 4 5 6	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to	2 3 4 5 6	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime,
2 3 4 5 6 7	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal. We're not goingto recommend that he must be convicted. We are going torecommend that he must be charged with murder. It will be	2 3 4 5 6 7	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be
2 3 4 5 6 7 8	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal. We're not goingto recommend that he must be convicted. We are going torecommend that he must be charged with murder. It will befor the prosecutor to recommend that he must be convicted	2 3 4 5 6 7 8	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the
2 3 4 5 6 7 8 9	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. GENERAL NAIDOO: I do understand, Chair.	2 3 4 5 6 7 8 9	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so,
2 3 4 5 6 7 8 9 10	CHAIRPERSON:So but these are matters – MR MPOFU:MR MPOFU:No, I'm conceding – to be debated later. MR MPOFU:MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal.We're not going to recommend that he must be convicted.We are going to recommend that he must be charged with murder.It will be for the prosecutor to recommend that he must be convictedafter the evidence has been heard.Do you understand, General?GENERAL NAIDOO:I do understand, Chair. MR MPOFU:MR MPOFU:Thank you.And by the way, as	2 3 4 5 6 7 8 9 10	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is
2 3 4 5 6 7 8 9 10 11	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal. We're not goingto recommend that he must be convicted. We are going torecommend that he must be charged with murder. It will befor the prosecutor to recommend that he must be convictedafter the evidence has been heard. Do you understand,General?GENERAL NAIDOO:I do understand, Chair.MR MPOFU:Thank you. And by the way, asit happened your evidence is that one of the reasons, one	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the
2 3 4 5 6 7 8 9 10 11 12	CHAIRPERSON:So but these are matters – MR MPOFU:MR MPOFU:No, I'm conceding – to be debated later. MR MPOFU:MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal.We're not going to recommend that he must be convicted.to recommend that he must be convicted.We are going to recommend that he must be charged with murder.for the prosecutor to recommend that he must be convictedMe are going to after the evidence has been heard.GENERAL NAIDOO:I do understand, Chair. MR MPOFU:MR MPOFU:Thank you.And by the way, asit happened your evidence is that one of the reasons, one of the key reasons that what you've described as the	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General –
2 3 4 5 6 7 8 9 10 11 12 13 14 15	CHAIRPERSON:So but these are matters –MR MPOFU:No, I'm conceding –CHAIRPERSON:- to be debated later.MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal. We're not goingto recommend that he must be convicted. We are going torecommend that he must be charged with murder. It will befor the prosecutor to recommend that he must be convictedafter the evidence has been heard. Do you understand,General?GENERAL NAIDOO:I do understand, Chair.MR MPOFU:Thank you. And by the way, asit happened your evidence is that one of the reasons, oneof the key reasons that what you've described as thedrastic escalation of personnel had happened was so that	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	CHAIRPERSON:So but these are matters – MR MPOFU:MR MPOFU:No, I'm conceding – to be debated later. MR MPOFU:MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal.We're not going to recommend that he must be convicted.we are going to recommend that he must be charged with murder.It will be for the prosecutor to recommend that he must be convictedafter the evidence has been heard.Do you understand, General?GENERAL NAIDOO:I do understand, Chair. MR MPOFU:MR MPOFU:Thank you.And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	CHAIRPERSON:So but these are matters – MR MPOFU:MR MPOFU:No, I'm conceding – to be debated later. MR MPOFU:MR MPOFU:Thank you, Chairperson. I'mconceding the possibility of an acquittal.We're not going to recommend that he must be convicted.we are going to recommend that he must be charged with murder.It will be for the prosecutor to recommend that he must be convictedafter the evidence has been heard.Do you understand, General?GENERAL NAIDOO:I do understand, Chair. MR MPOFU:MR MPOFU:Thank you.And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct?GENERAL NAIDOO:Chair, no. What I indicated was the investigations into various murders	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I indicated was the investigations into various murders needed to be supported.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him and it's obvious to me, but it's not so obvious to you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I indicated was the investigations into various murders needed to be supported. MR MPOFU: Yes, but if I remember well	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecution authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him and it's obvious to me, but it's not so obvious to you. What comment do you make in respect of that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I indicated was the investigations into various murders needed to be supported. MR MPOFU: Yes, but if I remember well the National Commissioner made it very clear that there	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him and it's obvious to me, but it's not so obvious to you. What comment do you make in respect of that? GENERAL NAIDOO: Chair, I think you made
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I indicated was the investigations into various murders needed to be supported. MR MPOFU: Yes, but if I remember well the National Commissioner made it very clear that there must be this escalation because the people who had murdered	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him and it's obvious to me, but it's not so obvious to you. What comment do you make in respect of that? GENERAL NAIDOO: Chair, I think you made a fair comment and I agree with you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	CHAIRPERSON: So but these are matters – MR MPOFU: No, I'm conceding – CHAIRPERSON: - to be debated later. MR MPOFU: Thank you, Chairperson. I'm conceding the possibility of an acquittal. We're not going to recommend that he must be convicted. We are going to recommend that he must be charged with murder. It will be for the prosecutor to recommend that he must be convicted after the evidence has been heard. Do you understand, General? GENERAL NAIDOO: I do understand, Chair. MR MPOFU: Thank you. And by the way, as it happened your evidence is that one of the reasons, one of the key reasons that what you've described as the drastic escalation of personnel had happened was so that the perpetrators of the murders on the police should be prosecuted, correct? GENERAL NAIDOO: Chair, no. What I indicated was the investigations into various murders needed to be supported. MR MPOFU: Yes, but if I remember well the National Commissioner made it very clear that there	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Yes. CHAIRPERSON: - and again they don't just do it on the basis that it will stop there. Clearly they do it on the basis that if the persons who are reasonably suspected of committing the crime in respect of which evidence is forthcoming that they did commit the crime, that they will be prosecuted, that the docket will then be sent by the police to the prosecuting authorities and the assumption is that the prosecution authority will do their duty. I mean that must be – MR MPOFU: Yes, I would have thought so, Chairperson. I would have thought it as obvious as it is to you and me, but obviously it's not as obvious to the General. Do you agree with the Chairperson, General – CHAIRPERSON: I don't know if that's a fair comment, but let's see what he says. You heard what I said to Mr Mpofu. GENERAL NAIDOO: Yes, Chair. CHAIRPERSON: He says it's obvious to him and it's obvious to me, but it's not so obvious to you. What comment do you make in respect of that? GENERAL NAIDOO: Chair, I think you made

Marikana Commission of Inquiry

	5		
1	Page 25145 prosecuted?	1	Page 25147 documents, but the sum total of it is that your version of
2	GENERAL NAIDOO: By the prosecuting	2	the events where you were shooting people where you might
3	authority, yes.	3	have killed or injured somebody, that version is not
4	MR MPOFU: Yes, correct. Now ja, do you	4	captured in exhibit L.
5	accept therefore that similarly the people who murdered the	5	GENERAL NAIDOO: Chair, not specifically.
6	strikers should be prosecuted?	6	It's broadly yes –
7	GENERAL NAIDOO: Chair, I think we went	7	MR MPOFU: Not? Yes.
8	through that exercise. We did –	8	GENERAL NAIDOO: Not specifically
9	MR MPOFU: Can we go through it again?	9	indicated General Naidoo shot this, no.
10	GENERAL NAIDOO: We've discussed this and	10	MR MPOFU: Yes, thank you, and it is your
11	we, I've already indicated there's a clear understanding	11	evidence, I think, that what happened at Roots, which was
12	that matters will be investigated and decisions will be	12	were exhibit L was born, that what happened at Roots was
13	taken, and this is how the criminal justice system works	13	meant to be an account of exactly what happened at the
14	and we would have to account in terms of that.	14	scene, or the scenes, correct?
15	MR MPOFU: General, just answer the	15	GENERAL NAIDOO: Chair, as indicated that
16	question. Are you equally desirous that the people who	16	each grouping, yes, presented what they experienced, yes.
17	murdered the strikers should be investigated and prosecuted	17	MR MPOFU: Ja, so from that it would be
18	eventually?	18	fair then to say that one of two things, either you did not
19	GENERAL NAIDOO: Chair, as I've indicated	19	- the version of that shooting event which you gave here,
20	there is a process; people are tasked with that	20	it is either you did not give it at Roots, or if you gave
21	investigation and they will let us know. I'm one of the	21	it, somehow it was missed out, or it's one of the two,
22	people that will probably be investigated.	22	correct?
23	CHAIRPERSON: Perhaps we could put the	23	GENERAL NAIDOO: Chair, I wouldn't say it
24	question slightly differently. If you introduced an	24	was missed out. I don't remember seeing specific names of
25	element of conditionality into it, if some of the strikers	25	individuals who were the shottists in the various
			Dama 25140
1	Page 25146 were murdered by the police –	1	Page 25148 incidents. There are incidents where they refer to the
1	Page 25146 were murdered by the police – GENERAL NAIDOO: Yes.	1 2	incidents. There are incidents where they refer to the
	were murdered by the police –		incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have
2	were murdered by the police – GENERAL NAIDOO: Yes.	2	incidents. There are incidents where they refer to the
2 3	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be	2 3	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I
2 3 4	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty required	2 3 4	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one
2 3 4 5	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such	2 3 4 5	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details.
2 3 4 5 6	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being	2 3 4 5 6	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend
2 3 4 5 6 7	were murdered by the police –GENERAL NAIDOO:Yes.CHAIRPERSON:- and if it can beascertained with reasonable certainty - certainty requiredfor a criminal prosecution - who was responsible for suchmurders, would you also be desirous of those persons beingcharged, just as you would be desirous of strikers who	2 3 4 5 6 7	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that –
2 3 4 5 6 7 8	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted?	2 3 4 5 6 7 8	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible]
2 3 4 5 6 7 8 9	were murdered by the police –GENERAL NAIDOO:Yes.CHAIRPERSON:- and if it can beascertained with reasonable certainty - certainty requiredfor a criminal prosecution - who was responsible for suchmurders, would you also be desirous of those persons beingcharged, just as you would be desirous of strikers whomurdered policemen being prosecuted?GENERAL NAIDOO:Of course, Chair,	2 3 4 5 6 7 8 9	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered
2 3 4 5 6 7 8 9 10	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were	2 3 4 5 6 7 8 9 10	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson –
2 3 4 5 6 7 8 9 10 11	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those	2 3 4 5 6 7 8 9 10 11	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross-
2 3 4 5 6 7 8 9 10 11 12	Mere murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily	2 3 4 5 6 7 8 9 10 11 12	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect –
2 3 4 5 6 7 8 9 10 11 12 13	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	were murdered by the police –GENERAL NAIDOO:Yes.CHAIRPERSON:- and if it can beascertained with reasonable certainty - certainty requiredfor a criminal prosecution - who was responsible for suchmurders, would you also be desirous of those persons beingcharged, just as you would be desirous of strikers whomurdered policemen being prosecuted?GENERAL NAIDOO:Of course, Chair,exactly as we are doing now in Brits, those policemen werecharged and process is going, the criminal and thedepartmental.MR MPOFU:Good, and if thoseprosecutions were to take place they would primarilyinvolve the shooters, the people who would have killed thestrikers, correct?GENERAL NAIDOO:Depending on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	were murdered by the police –Yes.GENERAL NAIDOO:Yes.CHAIRPERSON:- and if it can beascertained with reasonable certainty - certainty requiredfor a criminal prosecution - who was responsible for suchmurders, would you also be desirous of those persons beingcharged, just as you would be desirous of strikers whomurdered policemen being prosecuted?GENERAL NAIDOO:Of course, Chair,exactly as we are doing now in Brits, those policemen werecharged and process is going, the criminal and thedepartmental.MR MPOFU:Good, and if thoseprosecutions were to take place they would primarilyinvolve the shooters, the people who would have killed thestrikers, correct?Depending on theGENERAL NAIDOO:Depending on the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	were murdered by the police –GENERAL NAIDOO:Yes.CHAIRPERSON:- and if it can beascertained with reasonable certainty - certainty requiredfor a criminal prosecution - who was responsible for suchmurders, would you also be desirous of those persons beingcharged, just as you would be desirous of strikers whomurdered policemen being prosecuted?GENERAL NAIDOO:Of course, Chair,exactly as we are doing now in Brits, those policemen werecharged and process is going, the criminal and thedepartmental.MR MPOFU:Good, and if thoseprosecutions were to take place they would primarilyinvolve the shooters, the people who would have killed thestrikers, correct?GENERAL NAIDOO:Depending on thecharges, yes.MR MPOFU:And you are one of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you, for which you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? MR MPOFU: And you are one of the shooters, correct?</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? GENERAL NAIDOO: Depending on the charges, yes. MR MPOFU: And you are one of the shooters, correct? GENERAL NAIDOO: That is correct, Chair.</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission. I've allowed you a fair amount of latitude
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? GENERAL NAIDOO: Depending on the charges, yes. MR MPOFU: And you are one of the shooters, correct? GENERAL NAIDOO: That is correct, Chair. MR MPOFU: Thank you. Now I just want to</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission. I've allowed you a fair amount of latitude because some of the points you were touching were points
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? GENERAL NAIDOO: Depending on the charges, yes. MR MPOFU: And you are one of the shooters, correct? GENERAL NAIDOO: That is correct, Chair. MR MPOFU: Thank you. Now I just want to deal with an issue – I'm not going to traverse this because</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission. I've allowed you a fair amount of latitude because some of the points you were touching were points that hadn't been previously cross-examined and I thought
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? GENERAL NAIDOO: Depending on the charges, yes. MR MPOFU: And you are one of the shooters, correct? GENERAL NAIDOO: That is correct, Chair. MR MPOFU: Thank you. Now I just want to deal with an issue – I'm not going to traverse this because Mr Chaskalson dealt with it, but you would accept that from</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission. I've allowed you a fair amount of latitude because some of the points you were touching were points that hadn't been previously cross-examined and I thought they – the subject of cross-examination, and I thought it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<pre>were murdered by the police – GENERAL NAIDOO: Yes. CHAIRPERSON: - and if it can be ascertained with reasonable certainty - certainty required for a criminal prosecution - who was responsible for such murders, would you also be desirous of those persons being charged, just as you would be desirous of strikers who murdered policemen being prosecuted? GENERAL NAIDOO: Of course, Chair, exactly as we are doing now in Brits, those policemen were charged and process is going, the criminal and the departmental. MR MPOFU: Good, and if those prosecutions were to take place they would primarily involve the shooters, the people who would have killed the strikers, correct? GENERAL NAIDOO: Depending on the charges, yes. MR MPOFU: And you are one of the shooters, correct? GENERAL NAIDOO: That is correct, Chair. MR MPOFU: Thank you. Now I just want to deal with an issue – I'm not going to traverse this because</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	incidents. There are incidents where they refer to the shooting. Maybe they didn't describe it as I would have described it, and I already testified to the fact that I saw the presentation as being more broader inclusive one instead of giving the specific details. MR MPOFU: Okay, as I say, I don't intend to revisit – all I know that – CHAIRPERSON: [Microphone off, inaudible] say to you, Mr Mpofu, that firstly this point was covered very extensively by Mr Chaskalson – MR MPOFU: As I've said, Chairperson. CHAIRPERSON: And secondly, it's not one of the topics on which I gave you permission to cross- examine. I expect – MR MPOFU: No, but Chairperson – CHAIRPERSON: Don't say "but no, Chairperson." You are confined to the issues in terms of the practice rules we adopted to cross-examine on the issues in respect of which I gave you permission. I've allowed you a fair amount of latitude because some of the points you were touching were points that hadn't been previously cross-examined and I thought

1	Page 25149	1	Page 25151
1	questions. But now you're busy repeating something Mr	1	like that, on the rock, that that may well have been
2	Chaskalson asked, so I must remind you, I gave you	2	friendly fire?
3	permission on five topics and I expect you to adhere to	3	GENERAL NAIDOO: Chair no, I think we
4	those five topics.	4	traversed this one as well. I think I specifically
5	If there's an extra point you want to raise that	5	indicated the shottist in this case was visible to me.
6	isn't covered by that, that has become apparent to you	6	MR MPOFU: Okay, and let's now look at it
7	since that application was made, which you consider it	7	from the other side of the coin. If when you were shooting
8	appropriate you should cross-examine on, I will obviously	8	at whoever, if one of your shots had missed somebody else
9	consider it and I will be flexible if I consider that you	9	might have mistaken your shot for hostile fire when it was
10	are contributing to the process. But please, insofar as	10	actually friendly fire, correct?
11	you can, stick to the five topics.	11	GENERAL NAIDOO: Chair, two things; in
12	MR MPOFU: Thank you, Chairperson. Well,	12	terms of the angle shooting, as I indicated, was downwards
13	Chairperson, really, I mean when I prefaced this question -	13	directly and secondly, at that stage most of the other
14	I'm obviously building to something. When I prefaced this	14	shooting had stopped. So in terms of how it was perceived
15	question by acknowledging that Mr Chaskalson has covered	15	by other people, I can't testify to that.
16	this, it was really for your benefit so that you understand	16	MR MPOFU: Oh, I see. So when you shot
17	that I'm not going to cross-examine on it.	17	the shooting had stopped from the other side?
18	CHAIRPERSON: No, I understand that but	18	GENERAL NAIDOO: I said most of the
19		19	shooting had stopped.
20	MR MPOFU: Ja.	20	MR MPOFU: Yes.
21	CHAIRPERSON: But the point to which	21	GENERAL NAIDOO: There was already a call
22	you're building up didn't, I can't see how it fits in, in	22	by the Special Task Force commander, we find out now, for
22	any of the five topics I gave permission on. That's all.	22	cease fire and the helicopter had already indicated to
		23 24	people that the policemen were now going into the bush. So
24 25	MR MPOFU: Ja, okay. You can't see, Chairperson, because as I say it's building up to something	24 25	the bulk of the shooting had already ended.
20	chailperson, because as I say it's building up to something	20	the burk of the shooting had already ended.
	Page 25150		Dage 25152
1	Page 25150 that is in the future, that is still coming. Now I'm	1	Page 25152 MR MPOFU: Alright. Okay, can we now
	that is in the future, that is still coming. Now I'm	-	MR MPOFU: Alright. Okay, can we now
2	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re-	1 2 3	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble.
2 3	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll	2 3	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50.
2 3 4	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I	2 3 4	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you
2 3 4 5	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded	2 3 4 5	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there –
2 3 4 5 6	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that	2 3 4 5 6	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes –
2 3 4 5 6 7	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination?	2 3 4 5 6 7	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I
2 3 4 5 6 7 8	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross-	2 3 4 5 6 7 8	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with
2 3 4 5 6 7 8 9	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination.	2 3 4 5 6 7 8 9	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following –
2 3 4 5 6 7 8 9 10	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that	2 3 4 5 6 7 8 9 10	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes.
2 3 4 5 6 7 8 9 10 11	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and	2 3 4 5 6 7 8 9 10 11	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5.
2 3 4 5 6 7 8 9 10 11 12	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I	2 3 4 5 6 7 8 9 10 11 12	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay,
2 3 4 5 6 7 8 9 10 11 12 13	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were	2 3 4 5 6 7 8 9 10 11 12 13	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a
2 3 4 5 6 7 8 9 10 11 12 13 14	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to	2 3 4 5 6 7 8 9 10 11 12 13 14	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested
2 3 4 5 6 7 8 9 10 11 12 13 14 15	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and	2 3 4 5 6 7 8 9 10 11 12 13 14 15	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to friendly fire, something to that effect?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to friendly fire, something to that effect? GENERAL NAIDOO: I'm aware of that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots coming from different directions. I was scared for my life
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to friendly fire, something to that effect? GENERAL NAIDOO: I'm aware of that version.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots coming from different directions. I was scared for my life and I covered my face with my hands for some time,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to friendly fire, something to that effect? GENERAL NAIDOO: I'm aware of that version. MR MPOFU: Yes, so in that context would	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots coming from different directions. I was scared for my life and I covered my face with my hands for some time, expecting to be shot at any time. Some of the shots were
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	that is in the future, that is still coming. Now I'm saying, General, and I emphasise again, I don't want to re- traverse what Mr Chaskalson has covered, but you'll remember that he went through with you 11 incidents, I think, to demonstrate the fact that none of those accorded with what you had told the Commission. You remember that cross-examination? GENERAL NAIDOO: I remember the cross- examination. MR MPOFU: Yes, okay. Now the point that I really want to go to is this; in relation to the - and you must understand again the people I represent, as I said, just as much as they want to know how they were arrested, which we'll come back to, the others also want to know the circumstances under which they were injured, and I'm only going to ask you this issue. Are you aware that in relation to scene 2 the version of the police is that the people who were shooting there, the policemen who were shooting there may have mistakenly been responding to friendly fire, something to that effect? GENERAL NAIDOO: I'm aware of that version. MR MPOFU: Yes, so in that context would you accept that when you were shooting after you saw that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	MR MPOFU: Alright. Okay, can we now just go back to MMM50, before I get into more trouble. MMM50. CHAIRPERSON: Which paragraph of – do you want to take him through the whole of it, or is there – MR MPOFU: Yes, Chairperson, yes – CHAIRPERSON: I take it, I thought when I read it that you were probably going to deal with paragraphs 23 and following – MR MPOFU: Yes, yes. CHAIRPERSON: - which is page 5. MR MPOFU: Yes, Chairperson. Okay, General, I'm just going to read it out. This is a statement of Mr Mtjamba, who was one of the people arrested at scene 2. You understand? He says at paragraph 23, "At koppie 3, scene 2, I joined other fellow protesters and we hid ourselves behind big rocks. I could observe more or less 50 in number in my immediate vicinity. I later realised that there were a few hundred of us." 24, "As I was hiding myself I heard shots," rather "lots of gunshots coming from different directions. I was scared for my life and I covered my face with my hands for some time, expecting to be shot at any time. Some of the shots were single shots and others were short bursts of fire." Just

1	Page 25153	1	Page 25155
1	that there were both 9mm and R5s being used, correct?	1	GENERAL NAIDOO: Correct, Chair.
2	GENERAL NAIDOO: Correct, Chair.	2	MR MPOFU: And also you have already
3	MR MPOFU: Yes, and then number 25 he	3	testified that some of the people who were surrendering
4	says, "As protesters were running around for cover one came	4	were arrested, which I'll come to now, but now I want to
5	and joined us. He was wounded on his arm and I assisted	5	ask you specifically if you have any knowledge about some
6	him by wrapping the wound with a jacket. The wound	6	of those people who were in the process of surrendering
7	appeared to be a gunshot wound."	7	being shot at.
8	26, "One protester suggested that we should come	8	GENERAL NAIDOO: Chair, not to my
9	out of the hiding place with our hands up. He said, 'Guys,	9	knowledge. As I indicated that people were arrested, but
10	let's surrender.' He then went out of the group with his	10	if you look at the description of some of this, and it was
11	hands raised up."	11	also led in other cross-examination where a statement was
12	27, "He was shot on his hands or arms. He	12	introduced of one Sergeant Molangoanyane who on the other
13	kneeled down and as he tried to stand up still with his	13	side describes something very similar –
14	hands up, he was shot in the stomach and he fell down. He	14	CHAIRPERSON: I'm sorry to interrupt you,
15	then tried to stand up, but was shot again and he fell	15	Major General, could you give us the exhibit number,
16	down. He tried to crawl, but could not do so."	16	please, so when we read the record we can follow it up?
17	Number 28, "Another surrendering protester was	17	MR MPOFU: Yes.
18	shot in his head and also fell down within my line of	18	[14:55] GENERAL NAIDOO: Chair, I'm going to have
19	sight. Others who surrendered were lucky and they were	19	a problem with that. It was one of the statements that Mr
20	escorted by armed policemen without being shot at point	20	Chaskalson introduced during his cross-examination.
21	blank."	21	MR MPOFU: Yes, Chairperson, maybe we
22	29, "Then three policemen came out from the front	22	could short-circuit this by me accepting that there was
23	facing towards our direction. I then heard the voice	23	reference to this issue of people who were surrendering.
24	shouting, 'Cease fire, cease fire.' One policeman was	24	I'm not sure if it was Adv Chaskalson or my learned
25	raising his arm, apparently sending some signal to his	25	colleague Mr Ntsebeza, but the point, General, is - I
	Page 25154		Page 25156
1	colleagues." Again that paragraph would accord with the	1	accept that - I'm saying you do understand that Mr Mtjamba
2	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct?	2	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the
2 3	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair.	2 3	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for?
2 3 4	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were	2 3 4	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the –
2 3 4 5	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open	2 3 4 5	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested.
2 3 4 5 6	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained	2 3 4 5 6	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that
2 3 4 5 6 7	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to	2 3 4 5 6 7	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's
2 3 4 5 6 7 8	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have	2 3 4 5 6 7 8	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising
2 3 4 5 6 7 8 9	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were	2 3 4 5 6 7 8 9	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot
2 3 4 5 6 7 8 9 10	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part.	2 3 4 5 6 7 8 9 10	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even
2 3 4 5 6 7 8 9 10 11	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were	2 3 4 5 6 7 8 9 10 11	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head –
2 3 4 5 6 7 8 9 10 11 12	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were kicking us whilst we were lying on	2 3 4 5 6 7 8 9 10 11 12	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja.
2 3 4 5 6 7 8 9 10 11	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were kicking us whilst we were lying on the ground and they were bragging amongst themselves about	2 3 4 5 6 7 8 9 10 11	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what
2 3 4 5 6 7 8 9 10 11 12	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were kicking us whilst we were lying on the ground and they were bragging amongst themselves about the manner in which they had taken people down. Some were	2 3 4 5 6 7 8 9 10 11 12 13 14	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says.
2 3 4 5 6 7 8 9 10 11 12 13	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were kicking us whilst we were lying on the ground and they were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in	2 3 4 5 6 7 8 9 10 11 12 13	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So
2 3 4 5 6 7 8 9 10 11 12 13 14	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They	2 3 4 5 6 7 8 9 10 11 12 13 14	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from
2 3 4 5 6 7 8 9 10 11 12 13 14 15	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were kicking us whilst we were lying on the ground and they were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in	2 3 4 5 6 7 8 9 10 11 12 13 14 15	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come from that. Again the issue about laughing, some were	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person? CHAIRPERSON: I'm sorry, what was the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come from that. Again the issue about laughing, some were laughing loudly, you can accept that there's been objective	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person? CHAIRPERSON: I'm sorry, what was the name of the constable whose statement you referred to?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come from that. Again the issue about laughing, some were laughing loudly, you can accept that there's been objective evidence and it has been admitted by, I think Captain	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person? CHAIRPERSON: I'm sorry, what was the name of the constable whose statement you referred to? GENERAL NAIDOO: Sergeant Molangoanyane.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come from that. Again the issue about laughing, some were laughing loudly, you can accept that there's been objective evidence and it has been admitted by, I think Captain Mohlaki or some other witness. So you would agree that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person? CHAIRPERSON: I'm sorry, what was the name of the constable whose statement you referred to? GENERAL NAIDOO: Sergeant Molangoanyane. Molangoanyane.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	colleagues." Again that paragraph would accord with the calls that you have testified about of cease fire, correct? GENERAL NAIDOO: Correct, Chair. MR MPOFU: Okay, then he says, "We were ordered to lie down on our stomachs and crawl to an open space, and as we crawled about two to three people remained where they were. They could not crawl. They appeared to have sustained gunshot wounds. I still think they may have been dead." And then the rest is about policemen who were kicking them – or well, I must as well read that part. 31, "A lot of policemen came there and they were searching us. They were bragging amongst themselves about the manner in which they had taken people down. Some were laughing loudly. Some even said that if it were in Zimbabwe they would burn us alive with petrol. They referred to us as useless and as cop killers," and so on. So now there are two or three issues that come from that. Again the issue about laughing, some were laughing loudly, you can accept that there's been objective evidence and it has been admitted by, I think Captain Mohlaki or some other witness. So you would agree that some of these accounts, I'm not saying you have knowledge	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	accept that – I'm saying you do understand that Mr Mtjamba is a witness who I intend to call and who is one of the people that I act for? GENERAL NAIDOO: Yes, and the – MR MPOFU: Because he was arrested. GENERAL NAIDOO: And the statement that I'm referring to conversely also describes a policeman's account where he shot two people and it, why I'm raising the particular thing is because he refers to where he shot a person in the hand and in the arm and etcetera, and even indicates he shot him in the head – MR MPOFU: Thank you, ja. GENERAL NAIDOO: So it corroborates what your witness says. MR MPOFU: Okay, yes. Thank you. So apart from the other corroborations that I pointed out from your evidence, you're saying that it's further corroborated by that person? CHAIRPERSON: I'm sorry, what was the name of the constable whose statement you referred to? GENERAL NAIDOO: Sergeant Molangoanyane. Molangoanyane. MR MPOFU: And the exhibit number?

Marikana Commission of Inquiry

Pretoria

	Page 25157		Page 25159
1	in my notes, but – there it is, but –	1	coincidence. Indeed in my mind what I had thought we would
2	MR MPOFU: We'll find it, Chairperson.	2	do is to find let's say one of the wounded people whose
3	CHAIRPERSON: Alright, well it was handed	3	wounds coincide with his description, and so on, but what
4	in. No sorry, what's his name again? Oh, there it is,	4	you've suggested is a better shortcut in the sense that if
5	Molangoanyane.	5	the shooting incident is described by both sides then there
6	GENERAL NAIDOO: Yes, that's the one on	6	is that commonality as well, apart from your own evidence.
7	the -	7	You understand?
8	CHAIRPERSON: Yes, I think –	8	GENERAL NAIDOO: Chair, yes.
9	MR MPOFU: MMM6.	9	MR MPOFU: Thanks. Alright, in any event
10	CHAIRPERSON: I think Ms le Roux handed	10	the point here is that – let's leave aside now the issue of
11	it in.	11	surrendering people who may have been shot. We can leave
12	MR MPOFU: I'm told it's MMM6,	12	it at that. We'll deal with it in argument. Going back to
13	Chairperson.	13	the surrendering people who were arrested, which is what
14	CHAIRPERSON: Yes, that's correct. It is	14	you and I were discussing before lunch, you remember that?
15	MMM6, yes, thank you. Well done, Mr Mpofu, thank you.	15	GENERAL NAIDOO: Yes, Chair.
16	MR MPOFU: Thanks, Chairperson.	16	MR MPOFU: Yes, would you agree that – or
17	CHAIRPERSON: Oh, it's on the screen.	17	firstly let me say you can't say how many of the people who
18	GENERAL NAIDOO: Yes.	18	were arrested had come up with bare hands up and how many
19	CHAIRPERSON: So I was the one who was	19	were disarmed?
20	unobservant. You were more observant than I at any rate –	20	GENERAL NAIDOO: No, Chair, I can't
21	MR MPOFU: I'm not wearing my glasses,	21	offhand say, no.
22	Chairperson.	22	MR MPOFU: And worst still, because you
23	CHAIRPERSON: Anyway, let's not waste	23	were seeing the people for the first time, you wouldn't be
24	time on it further. But in relation to the exhibit we're	24	able to identify who came out without arms in their -
25	now busy with, which is MMM50, you've been taken through	25	sorry, now the word "arms" is – ja, without weapons and
		1	
	Dago 25159		Dago 25140
1	Page 25158 that.	1	Page 25160 with their arms up and who was disarmed by the police?
1 2	-	1 2	Page 25160 with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a
	that.		with their arms up and who was disarmed by the police?
2	that. GENERAL NAIDOO: Chair.	2	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a
2	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain	2 3	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number.
2 3 4	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with	2 3 4	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an
2 3 4 5	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be	2 3 4 5	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct?
2 3 4 5 6	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand?	2 3 4 5 6	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes.
2 3 4 5 6 7	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was	2 3 4 5 6 7	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people
2 3 4 5 6 7 8	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes	2 3 4 5 6 7 8	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into
2 3 4 5 6 7 8 9	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in	2 3 4 5 6 7 8 9	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and
2 3 4 5 6 7 8 9 10	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes.	2 3 4 5 6 7 8 9 10	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct?
2 3 4 5 6 7 8 9 10 11	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides.	2 3 4 5 6 7 8 9 10 11	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair.
2 3 4 5 6 7 8 9 10 11 12	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that	2 3 4 5 6 7 8 9 10 11 12	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's
2 3 4 5 6 7 8 9 10 11 12 13	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement?	2 3 4 5 6 7 8 9 10 11 12 13	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you –
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same area where the bulk of the people were. If we remember, we	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look through my notes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same area where the bulk of the people were. If we remember, we went through that exercise of trying to see, locate where	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look through my notes. CHAIRPERSON: Yes, very good. We'll take
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same area where the bulk of the people were. If we remember, we went through that exercise of trying to see, locate where this Sergeant, he said he entered the bush there and the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look through my notes. CHAIRPERSON: Yes, very good. We'll take the tea adjournment at this point, quarter of an hour.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same area where the bulk of the people were. If we remember, we went through that exercise of trying to see, locate where this Sergeant, he said he entered the bush there and the shooting occurred.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look through my notes. CHAIRPERSON: Yes, very good. We'll take the tea adjournment at this point, quarter of an hour. MR MPOFU: Thank you, Chairperson.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	that. GENERAL NAIDOO: Chair. CHAIRPERSON: And you said certain portions would agree with, you were able to agree with certain of the things he said, but I understood you to be still busy with your answer, or did I misunderstand? GENERAL NAIDOO: Chair no, what I was merely pointing out was that what this witness describes from one side is also described by the police official in the second statement from the police side as well. So it's something that we should look at from both sides. MR MPOFU: Yes. COMMISSIONER HEMRAJ: Aren't the circumstances of that shooting different from the one that Mr Mpofu is putting to you in the current statement? GENERAL NAIDOO: Chair, if they're describing the wounds and the shooting in the arm and on the head and etcetera, the Sergeant describes exactly the same type of shooting, and it was more or less in the same area where the bulk of the people were. If we remember, we went through that exercise of trying to see, locate where this Sergeant, he said he entered the bush there and the shooting occurred.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	with their arms up and who was disarmed by the police? GENERAL NAIDOO: No, Chair, there was a large number. MR MPOFU: In fact that would be an almost impossible exercise, correct? GENERAL NAIDOO: Possibly, yes. MR MPOFU: Yes, and so of the 259 people that were arrested, any one of them could have fallen into the group that merely came out with their hands and carrying no arms, correct? GENERAL NAIDOO: That's possible, Chair. MR MPOFU: Thank you. CHAIRPERSON: Mr Mpofu, I'm reminded I must take the tea adjournment soon, but obviously when it's convenient for the purposes of your cross-examination we'll do so. I don't want to interrupt you – MR MPOFU: Chair, it will make better sense to do it right now, Chairperson, because I'm coming towards the end, then I'll have a chance just to look through my notes. CHAIRPERSON: Yes, very good. We'll take the tea adjournment at this point, quarter of an hour.

Marikana Commission of Inquiry

1	Dago 251/1		Dogo 251/2
1	Page 25161 Major-General, you're still under oath.	1	Page 25163 MR MPOFU: 142, yes, sorry.
2	GENERAL NAIDOO: Still under oath, Chair.	2	CHAIRPERSON: No, but – yes, 142 is the
3	CHAIRPERSON: Mr Mpofu?	3	correct one.
4	GENERAL NAIDOO: s.u.o.	4	MR MPOFU: General, the only question
5	CROSS-EXAMINATION BY MR MPOFU (CONTD.):	5	really is, from a reading of those two slides it would seem
6	Thank you, Chairperson. General, I'm just going to ask you	6	that under normal circumstances you were not allowed to
7	one or two questions on a very narrow matter which I've not	7	release any of your units unless you were required to do so
8	seen on the record but I can bet that Mr Chaskalson must	8	by the operational commander.
9	have dealt with it but I'm just going to - I need you to	9	GENERAL NAIDOO: That's correct, Chair.
10	look at L67 and L142. Let's rather, let's start with L67.	10	MR MPOFU: Yes. And then there's the
11	Yes.	11	second question which flows from that, is – and again I'll
12	CHAIRPERSON: You see the – have you	12	try and short-circuit it without having to play the video.
13	found the slide?	13	I hope you have seen the relevant video. If you haven't,
14	GENERAL NAIDOO: Yes, Chair.	14	you either accept my word or we'll have to play them. Some
15	CHAIRPERSON: It's on the screen, of	15	of the evidence that we have seen from the videos shows us
16	course.	16	the mounted unit, I think that's what it's called –
17	MR MPOFU: Thank you, yes.	17	GENERAL NAIDOO: Yes, Chair.
18	CHAIRPERSON: It says "Designated command	18	MR MPOFU: - around the area of scene 1,
19	positions" –	19	assisting in the dispersion, so to speak, chasing people
20	MR MPOFU: Yes.	20	around. Do you remember seeing that on any of the videos?
21	CHAIRPERSON: On the JOCCOM, isn't it?	21	GENERAL NAIDOO: Chair, I remember seeing
22	MR MPOFU: Yes. Thank you, Chairperson,	22	the mounted unit. They were doing a sweep from forward
23	and where it's pointing to the last dash from the bottom,	23	holding area 1 towards scene 1, yes.
24	second last, sorry yes. "Commander of reserve and support	24	MR MPOFU: Yes. And so those people,
25	forces, Major-General Naidoo. Role, manage and reserve" -	25	insofar as they were now far away from forward holding area
	Page 25162		Page 25164
1	rather – "manage the reserve and support forces kept at	1	1, would have been released to – sorry, would have been
2	FHA, releasing resources as required by the operational	2	released by you, correct?
3	commander." Do you see that?	3	GENERAL NAIDOO: Chair, as I testified
3 4	GENERAL NAIDOO: I see that, Chair.	3 4	GENERAL NAIDOO: Chair, as I testified during the initial cross-examination, when certain people
			· · · · · · · · · · · · · · · · · · ·
4	GENERAL NAIDOO: I see that, Chair.	4	during the initial cross-examination, when certain people
4 5	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on	4 5	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted
4 5 6	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August –	4 5 6	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready
4 5 6 7 8 9	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area.	4 5 6 7	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find
4 5 7 8 9 10	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct.	4 5 6 7 8 9 10	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my
4 5 7 8 9 10 11	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward	4 5 6 7 8 9 10 11	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command,
4 5 7 8 9 10 11 12	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added.	4 5 6 7 8 9 10 11 12	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene
4 5 7 8 9 10 11 12 13	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th.	4 5 7 8 9 10 11 12 13	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under
4 5 7 8 9 10 11 12 13 14	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it	4 5 7 8 9 10 11 12 13 14	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would
4 5 7 8 9 10 11 12 13 14 15	GENERAL NAIDOO:I see that, Chair.CHAIRPERSON:If that's the position onthe 14th of August –MR MPOFU:MR MPOFU:Yes.CHAIRPERSON:At that stage there wasonly one forward holding area.GENERAL NAIDOO:That's correct.CHAIRPERSON:Subsequently forwardholding area 2 was added.GENERAL NAIDOO:On the 15th.CHAIRPERSON:But I take it that itdidn't alter your responsibilities insofar as they related	4 5 6 7 8 9 10 11 12 13 14 15	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would
4 5 7 8 9 10 11 12 13 14 15 16	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support Forces kept at forward holding	4 5 6 7 8 9 10 11 12 13 14 15 16	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that?
4 5 7 8 9 10 11 12 13 14 15 16 17	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1.	4 5 6 7 8 9 10 11 12 13 14 15 16 17	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly,
4 5 7 8 9 10 11 12 13 14 15 16 17 18	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide 141, as the Chair says, pertains to the 16th, hence it now	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted unit was placed in direct proximity to scene 1 because of
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide 141, as the Chair says, pertains to the 16th, hence it now says forward holding area 1.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted unit was placed in direct proximity to scene 1 because of the terrain between forward holding area 1 and the, what
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide 141, as the Chair says, pertains to the 16th, hence it now says forward holding area 1. CHAIRPERSON: No, 141 relates to	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted unit was placed in direct proximity to scene 1 because of the terrain between forward holding area 1 and the, what became scene 1 and whereas the other units were directed to
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide 141, as the Chair says, pertains to the 16th, hence it now says forward holding area 1. CHAIRPERSON: No, 141 relates to immediate reaction area 2.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted unit was placed in direct proximity to scene 1 because of the terrain between forward holding area 1 and the, what became scene 1 and whereas the other units were directed to take the route of the immediate response area and we went
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	GENERAL NAIDOO: I see that, Chair. CHAIRPERSON: If that's the position on the 14th of August – MR MPOFU: Yes. CHAIRPERSON: At that stage there was only one forward holding area. GENERAL NAIDOO: That's correct. CHAIRPERSON: Subsequently forward holding area 2 was added. GENERAL NAIDOO: On the 15th. CHAIRPERSON: But I take it that it didn't alter your responsibilities insofar as they related to the reserve and support forces kept at forward holding area 1. GENERAL NAIDOO: That's correct, Chair. MR MPOFU: Thank you. And then the slide 141, as the Chair says, pertains to the 16th, hence it now says forward holding area 1. CHAIRPERSON: No, 141 relates to	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	during the initial cross-examination, when certain people were placed at immediate response area 1, then the mounted unit was placed at forward holding area 1 in a ready position to sweep towards scene 1 and/or the dispersion area, yes. MR MPOFU: Yes. Now what I find remarkable and I'm inviting you to comment if you share my surprise, is that one of the units under your command, namely the mounted unit, would have managed to get to scene 1 to sweep, as you call it, even before another unit under your command, namely the medical services which I would assume was more urgently needed, had gotten there. Would you comment on that? <u>GENERAL NAIDOO:</u> Chair, yes. Firstly, what you said was true and secondly, I think we covered that in testimony when we indicated the units, the mounted unit was placed in direct proximity to scene 1 because of the terrain between forward holding area 1 and the, what became scene 1 and whereas the other units were directed to

Marikana Commission of Inquiry

		T	
	Page 25165		Page 25167
1	to arrive.	1	She seems very confident about it, so we may have a dead
2	MR MPOFU: Thanks. Okay, that's fine. I	2	period on Tuesday sometime unless somebody else cross-
3	remember that explanation but you would agree that at face	3	examines first.
4	value one would've expected of your units, the one that	4	MR SEMENYA SC: Chair, you would recall
5	should have gotten around scene 1 before anybody else, given the tragedy that had just occurred, should have been	5	we were going to be cross-examining but we were going to do that last, so there would be a whole number of other
6 7	the medical services.	6 7	parties who may –
8	GENERAL NAIDOO: Chair, we've already	8	CHAIRPERSON: Yes, the arrangement was
9	acceded to that.	9	that, for reasons that I don't have to elaborate on, it was
10	MR MPOFU: Yes, thank you. Alright.	10	likely that you would wish to cross-examine Colonel Vermaak
11	Well, Chairperson, I have several matters that I would have	11	after other counsel have cross-examined. Alright, well,
12	wanted to put to the General but I don't want to, since	12	that being -
13	that phrase has been used so much on television, I don't	13	MR BUDLENDER SC: What we'll then do,
14	want to put to him unnecessary things that have already	14	Chair, is we will ask for, we'll send out a note today to
15	been covered in the testimony, as long as the usual	15	everyone reminding them if they want to cross-examine
16	arrangement holds, Chairperson, that you won't hold it	16	Lieutenant-Colonel Vermaak they must get in applications
17	against me if I have not put a specific version to him.	17	now.
18	Most of it has been put in the course of the questioning.	18	CHAIRPERSON: Yes.
19	CHAIRPERSON: I've indicated that to you	19	MR BUDLENDER SC: So that you can decide
20	previously.	20	which will be permitted.
21	MR MPOFU: Yes.	21	CHAIRPERSON: Yes. I think they should
22	CHAIRPERSON: And I don't propose	22	get in the applications by the end of tomorrow and so I can
23	deviating or departing now from what I said earlier.	23	consider the applications on Thursday and then give my
24	MR MPOFU: Yes. Thank you, Chairperson.	24	rulings so that's all in place by the time the evidence-in-
25	In that case I have nothing further. Thank you, General.	25	chief begins on Monday. And then we've already agreed that
	Page 25166		Page 25168
1	CHAIRPERSON: Mr Semenya – Mr Mpofu was	1	the police will cross-examine last so the position that Mr
2	the last cross-examiner, that was the way it was intended	2	Mpofu likes to occupy to cross-examine I'm afraid he's not
3	to be. Mr Semenya, are you ready to do the re-examination	3	going to have this time but there are reasons which I'm
4	now or do you wish to do that next week?	4	sure Mr Mpofu understands.
5	MR SEMENYA SC: With your permission,	5	MR MPOFU: Chair –
6	Chair, can I do that next week?	6	CHAIRPERSON: The parties can agree among
7	CHAIRPERSON: I doubt whether you'll	7	themselves as to order of cross-examination.
8	finish it today. I don't know how long your re-examination	8	MR MPOFU: Chairperson, yes –
9	will be but it's probably desirable that it should be dealt	9	CHAIRPERSON: And the evidence leaders of
10	with all in one and you'll presumably be better able to	10	course won't cross-examine on this occasion.
11	prepare yourself for it next week. I understand you're not	11	MR MPOFU: Yes.
12	available on Monday and Tuesday. I also understand that	12	CHAIRPERSON: At least I take it not,
13 14	the next witness, Colonel Vermaak, who is going to be led by Adv Pillay, is likely to be about two days. So that	13 14	because one of the evidence leaders will be leading the evidence.
14 15	seems to fit in quite neatly with our schedule if he gives	14 15	MR MPOFU: Will be leading, correct.
16	evidence-in-chief Monday and Tuesday, then on Wednesday	15	Yes, Chairperson, on a serious note, you're quite right
17	morning we have the -1 take it that it will only be	17	that I usually like to be the last cross-examiner but my
18	Wednesday morning, although one never knows in this	18	instructions, in fairness to Mr Semenya, will be that the
19	Commission, we'll then deal with the resumption of the	19	issue of SAPS cross-examining Vermaak who's virtually their
20	application for an in camera hearing. Is that so?	20	own witness in a way, last, is something that we will take
21	MR SEMENYA SC: That is indeed so, Chair.	21	instructions on. I'm not quite sure that it would be
22	CHAIRPERSON: Yes, Mr Budlender?	22	appropriate, seeing that it's likely to be friendly fire,
23	MR BUDLENDER SC: Chair, I've just	23	as it were. I think it would be better for us –
24	discussed this with Adv Pillay. She thinks that in chief	24	CHAIRPERSON: No – no, I understand that
2.	Lieutenant-Colonel Vermaak will not be as much as two days.	25	the reasons for the request that they cross-examine last is
25	Licutenant-coloner vermaak will not be as much as two days.	23	the reasons for the request that they cross-examine last is

1	Page 25169
1	they don't intend their fire to be friendly.
2	MR MPOFU: Well, in that case –
3	CHAIRPERSON: On the contrary. MR MPOFU: I accept that, Chair.
4	•
5	
6	MR MPOFU: Thank you.
7	CHAIRPERSON: But –
8	MR MPOFU: We'll discuss it with Mr
9	Semenya.
10	CHAIRPERSON: You can discuss it with Mr
11	Semenya outside the chamber.
12	MR MPOFU: Thank you, Chairperson.
13	CHAIRPERSON: Alright, so we'll adjourn
14	now until Monday morning 9 o'clock.
15	[COMMISSION ADJOURNED]
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
- RS	e ceru al Ch-
	As in the Tites little
2	infy home, bane on to have
Le .	af. marthe Ke moth
)	
A	RCHIVE FOR JUSTICE

				Page
A	activated 25132:22	afternoon 25056:25	25097:24 25099:3,24	25153:7 25154:7
AAA 25107:25	active 25111:9	ago 25034:9 25040:3	25102:8 25103:18	appearing 25018:16
abandon 25021:25	actual 25050:19	25101:3 25110:13	25108:4 25110:5,10	25021:6 25025:24,24
25080:15	add 25029:16	25117:19	25110:21 25111:9,10	appears 25018:21
able 25024:7 25028:5	added 25055:9,20	agree 25080:18	25111:11 25112:1,1,2	25026:25 25095:12
25045:11 25073:1	25162:12	25097:22 25098:21	25112:4 25113:13	25105:16 25135:5
25098:7 25115:2,9	addition 25009:23	25100:21 25101:10	25114:14,15 25115:3	applicable 25007:20
25117:25 25118:2	25071:18	25119:12 25120:22	25115:16,20 25117:3	25018:4 25029:8
25131:15 25158:4	additional 25018:25	25121:18 25125:20	25117:20 25118:2	application 25006:8
25159:24 25166:10	address 25033:4	25131:17 25144:14	25119:16,21 25121:5	25007:24 25009:11
aboard 25038:15	25087:2	25144:23 25154:22	25121:18,19 25122:8	25009:18 25010:3
absence 25039:11	adequate 25020:14	25158:4,4 25159:16	25122:9,13,20,22	25011:24,24
absent 25140:18	adhere 25149:3	25165:3 25168:6	25125:10,12,16	25016:25 25034:20
absolutely 25013:23	adjourn 25047:17,19	agreed 25009:24	25126:5 25131:16	25040:18,19 25041:3
abuse 25141:24	25047:22 25169:13	25055:15 25137:17	amount 25122:22	25041:5,6,10,11,12
abuses 25019:8	ADJOURNED	25143:14 25167:25	25148:21	25041:20 25042:4,15
	25169:15	agrees 25135:25	ample 25034:3	25045:24 25046:22
acceded 25165:9	adjournment 25033:21	ahead 25092:14	amplified 25055:7	25047:15 25149:7
accept 25008:6 25074:7	25047:20,20	aim 25144:25	ancillary 25013:14	25166:20
25078:6,11 25098:20	25108:12,16,24	airlifted 25051:19	Andrew 25052:1	applications 25167:16
25100:4 25122:11	25160:12,10,24	25052:21,23 25055:1	25053:2	25167:22,23
25125:14 25126:12	ADJOURNS 25034:5	Alexander 25107:2,4	and/or 25164:7	applies 25006:21
25130:16 25136:13	25047:24 25086:21	25107:16,19	angle 25082:11	25007:4,18 25010:1
25144:24 25145:5	25108:25 25160:24	alignment 25091:13,16	25151:12	
25146:24 25150:24				25014:14,14 25015:8
25154:20 25156:1	administration	alive 25135:3 25154:16	Annandale 25130:6	25148:20
25163:14 25169:4	25019:5 25108:7	allegation 25009:11,12	annexures 25034:22,23	apply 25119:6
acceptable 25045:23	admire 25111:20	25073:2	25034:24,25 25043:1	applying 25027:5
accepted 25008:19	admit 25138:1	allegations 25024:23	announcement 25033:7	appreciate 25158:25
25046:21	admitted 25058:24	25025:16 25081:23	anonymity 25028:24	apprehension 25009:8
accepting 25155:22	25114:8 25115:24	allegedly 25008:13	answer 25021:23	approach 25064:2
access 25111:8	25133:17,20,23	25009:17,19	25028:5 25044:7	25082:10
accessible 25111:14	25154:21	25063:12	25046:3 25079:15	approached 25068:3
accommodation	adopted 25148:18	allocated 25125:24	25080:8 25100:14	25069:11
25075:5	Adv 25042:23	allow 25037:24	25122:18 25129:3	appropriate 25042:13
accomplishment	25155:24 25166:14	25038:2 25048:14	25141:11 25145:15	25045:2 25046:13,19
25013:15	25166:24	25148:25	25158:6	25101:12 25108:11
accord 25016:16	advance 25059:21	allowed 25030:21	answering 25035:17,21	25132:14 25148:25
25152:25 25154:1,25	25060:2	25035:25 25056:18	25036:1 25037:21	25149:8 25168:22
accorded 25150:5	advanced 25035:12,13	25085:5,10 25087:16	answers 25021:15,21	appropriately
account 25021:4	25060:5	25088:1 25091:15	25028:5 25079:4	25100:23
25145:14 25147:13	advances 25059:24	25092:15 25114:16	25095:2	approval 25005:9
	advantages 25018:14	25116:10 25148:21	anticipated 25030:4	25011:13,16 25012:8
25152:25 25156:8	25018:17 25021:3	25163:6	25065:16,19	approximately
accounted 25108:9	adversarial 25022:4	alpha 25039:6	anybody 25061:2	25060:16 25134:24
25115:15	Advocate 25048:12	alright 25020:4	25130:23 25140:20	area 25026:4 25059:7
accounts 25154:23	affidavit 25009:6	25028:4 25030:24	25165:5	25074:14 25076:11
accusations 25024:19	25033:10,17	25032:15 25049:2	anymore 25019:16,18	25083:4 25084:2
accused 25019:24	25034:10,12,13,21,23	25052:15 25049:2	anyway 25014:4	25134:5 25137:8
25025:6 25140:5		25060:8 25082:10	25019:18 25020:16	
achieve 25020:14	25035:1,2,4,5,5,19,21			25158:20 25162:9,12
achieved 25021:24	25036:1,2 25037:21	25086:19 25088:13	25023:23 25043:19	25162:17,21,23
Ackerman 25011:16	25039:8 25040:2,7,8	25088:17 25090:14	25066:11 25075:14	25163:18,23,25
acknowledging	25041:7,7,8 25043:2	25093:14 25094:15	25107:10 25157:23	25164:5,6,8,21,23
25149:15	25043:3 25046:17	25094:23 25107:13	apart 25033:16	areas 25111:24,25
acquittal 25142:5	affidavits 25033:21,22	25108:23 25109:13	25156:16 25159:6	aren't 25006:1
acquitted 25141:23	25034:8,18 25035:7	25116:21 25124:13	apologise 25030:7	25024:23 25042:10
act 25007:19 25008:1	25035:10,11,17	25124:17 25152:1	apparent 25149:6	25043:2,24 25071:23
25010:18 25013:5,16	25041:22 25042:1,13	25157:3 25159:9	apparently 25025:4	25158:13
25014:17 25015:17	25046:17,25,25	25165:10 25167:11	25040:11 25100:20	argue 25010:16
25030:1 25049:5	25047:4	25169:13	25153:25	25041:23 25045:11
25069:23 25070:2	afforded 25045:22	alter 25162:15	appeal 25012:21	25045:21
25156:3	afraid 25168:2	Alternatively 25043:17	25026:14,14	argued 25039:16
acting 25019:6	afresh 25015:4	25118:20	appear 25024:22	25044:7 25046:18
	Africa 25011:13	AMCU 25024:17	25032:14 25033:20	25047:6
25078.22				
25078:22	25026:15	25026:1	25096:1,22 25097:16	arguing 25005:21
action 25099:25		25026:1 ammunition 25061:23		arguing 25005:21 25015:21 25029:19
	25026:15 African 25027:5 25099:15		25096:1,22 25097:16 25098:4 25099:2,23 appeared 25056:1	

RealTime Transcriptions

Marikana Commission of Inquiry

				Page
25009:4 25010:25	25138:22	25098:16,17	25010:22 25011:8,14	25143:18
25015:21 25016:10	article 25005:8,11	25109:24 25115:1,21	25011:21 25012:15	booked 25115:3,4,6,11
25017:19 25026:18	25026:19	25117:4 25118:3	25014:9 25015:14	25122:22,23
25027:2 25035:22,25	ascertained 25146:4	25125:2,3 25132:12	25016:4,9,13,24	booking 25112:1
25037:8,11 25044:15	aside 25084:4 25126:11	25162:6	25017:6 25020:7,19	25125:12
25045:1 25079:12	25159:10	Australia 25005:9	25022:2,15,25	bore 25107:23,24
25133:16 25159:12	asked 25029:24	25013:2	25023:2 25024:1	born 25147:12
arguments 25029:18	25035:16 25065:14	Australian 25010:7,9	25025:8,19 25026:2,5	borrowing 25032:13
arises 25049:13	25065:15 25066:11	25012:18 25013:21	25026:16 25027:10	bottom 25105:16
arm 25153:5,25	25066:13,20,22	Australians 25011:3	25027:17 25028:3,7	25161:23
25156:10 25158:17	25072:17 25083:7	authorities 25010:20	25028:13,15,18,21	bouncing 25150:25
armed 25079:13	25086:13 25133:10	25026:10 25144:8	25029:15,20 25030:6	bragging 25154:13
25153:20	25149:2	authority 25006:15,18	25030:7 25032:15	Brazier 25068:18,20,21
arms 25064:7 25070:5 25081:12 25084:22	asking 25008:7	25027:5 25144:9 25145:3	25033:18 25039:10 Paran 25010:10	25068:23 25069:18
25153:12 25159:24	25057:6 25070:4 25076:24 25082:5	25145:3 available 25005:18	Baron 25010:10 25012:25	25069:20 25070:4,24 25071:1,5 25072:3,13
25159:25 25160:1,10	25070.24 25082.5 25137:3	25042:10 25047:11	based 25027:2	25071:1,5 25072:3,15
arranged 25109:12,14	asks 25021:18,19	25050:12 25066:12	basis 25009:18	25080:6 25082:8
arrangement 25059:9	asleep 25068:11	25075:5 25111:4,6,18	25010:16 25036:5	breached 25123:6
25110:5 25165:16	aspect 25025:12	25075.5 25111.4,0,18	25040:19 25045:12	breadwinner 25024:24
25167:8	aspects 25010:13,20	25116:24 25117:9,9	25040.19 25045.12 25045:17 25064:9	break 25032:25
arrangements	assegais 25134:25	25132:11 25141:7	25087:18 25144:3,4	25033:5 25034:1
25064:15 25090:1	assess 25022:10,13,16	25166:12	battered 25037:24	25086:14,20
arrest 25069:17,24	assets 25108:8	average 25022:17	bear 25008:17 25016:1	25108:22 25122:2
25070:5 25071:4,7	assist 25014:7	averments 25039:12	25020:17	Brickhill 25007:23
25072:8,23,23	25069:20 25081:10	aware 25053:17	bearing 25132:20,25	25008:23 25018:1
25074:2 25076:5,15	25103:8 25119:9	25059:14,16	bears 25007:23	25033:19 25047:9,14
25076:16 25077:8,15	assistance 25032:6	25063:12 25065:2	befall 25009:10	brief 25057:20,22
25077:16,18 25078:3	assisted 25153:5	25101:22 25102:5	begins 25167:25	briefed 25058:1,7,9
25078:13 25079:7	assisting 25038:5	25103:5,7 25113:6,14	behalf 25009:7	briefing 25056:22
25080:13 25081:5,8	25163:19	25132:21 25143:6,8,9	25024:16 25025:25	25057:16,21,25
25082:3,5	associated 25033:11	25150:16,21	25031:10	25058:6,6,12,15
arrested 25024:17	assume 25074:4,5		behaviour 25025:18	25059:2,7,11 25064:3
25025:3 25049:6,10	25100:6 25129:1	B	belabour 25078:1	briefings 25056:13,18
25063:3,6,7,20	25164:15	B 25131:15	believe 25005:18	25057:3,14 25058:12
25064:8 25067:18,20	assumed 25125:16	back 25010:9 25034:7	25011:17 25028:3	25058:22,24
25067:24 25069:15	assumes 25097:3	25041:11 25042:12	benefit 25149:16	Brigadier 25033:10
25069:24 25070:21	assuming 25006:8	25043:24 25044:5	best 25031:14 25036:25	25034:10 25035:2,3,4
25071:12,23,25	25104:13	25058:9 25086:20	bet 25161:8	25050:6 25107:1,4,16
25072:3,22,24	assumption 25017:20	25088:17 25107:1	better 25012:17	25107:18 25137:9
25073:15,21,25	25144:9	25117:18 25118:1,1	25019:17 25022:22	bring 25010:19,21
25074:9 25075:7	assurance 25087:9,10	25121:22 25123:3,8,9	25022:25 25039:21	bringing 25038:8
25076:21 25077:20	assure 25139:22	25123:16 25125:17	25039:23 25040:10	Brits 25113:11
25077:24 25078:5,15	attacked 25054:21	25150:14 25152:2	25082:16 25093:4,7	25146:10
25078:19,22,23,24	attempted 25140:21	25159:12	25095:15 25159:4	broader 25148:4
25079:1,17 25080:3	25141:10	background 25056:14	25160:17 25166:10	broadly 25071:6
25083:16,17 25084:2	attend 25058:6	backs 25083:7	25168:23	25147:6
25084:6,10,15	25129:13	backwards 25115:2	big 25023:14 25152:17	broken 25031:20
25085:1,12,19	attendance 25020:25	bad 25022:16 25023:6	Bill 25014:23	25123:1,5
25086:1 25134:10	25074:25	ballistic 25123:18	birdshot 25091:15	brought 25064:19,24
25150:14 25152:14 25155:4 9 25156:5	attended 25033:24	Baloyi 25032:21	bit 25010:24 25014:5	25065:8 25121:9 25142:24 25143:12
25155:4,9 25156:5 25159:13,18 25160:8	25043:6 25059:2 25127:7 25133:9	25052:20,23 ban 25092:17 25110:17	25018:21 25033:3 25122:10	25142:24 25145:12 25143:18
arresting 25070:8,17	attends 25127:5	banned 25091:6,7,10	blank 25132:11	brown 25097:6,6
25072:17 25074:14	attention 25007:13	25091:19 25097:24	25153:21	browsing 25036:8
25083:4 25084:1	25009:3 25010:7,21	25099:3,24 25109:24	bodies 25051:4	Budlender 25030:24
arrests 25049:5,11	25016:20,21	25110:3,4,12 25114:5	25054:10 25134:21	25031:2,11 25166:22
25063:23,24	25026:17 25032:16	25110.3,4,12 25114.3	25134:25 25136:1	25166:23 25167:13
25063:23,21	25032:18 25062:20	banning 25114:18	25138:21 25139:13	25167:19
25067:10,19	25086:13 25089:13	barbed 25059:14	body 25033:20 25051:2	building 25149:14,22
	25000.15 25007.15		25051:10,15,20	25149:25
25071:24 25081:14	25121:9	Barcus 25005:12	23031.10.13.20	
/ / 31 1 1/32		Barcus 25005:12 bare 25159:18	25051:10,15,20	bulk 25073:8 25151:25
25071:24 25081:14	25121:9			
25071:24 25081:14 25082:1	25121:9 attorney 25030:15	bare 25159:18	25052:5,15 25055:3	bulk 25073:8 25151:25
25071:24 25081:14 25082:1 arrival 25134:22	25121:9 attorney 25030:15 attorneys 25089:21 Attorney-General 25013:3,12	bare 25159:18 Barnes 25005:3,6,11,14	25052:5,15 25055:3 25140:18	bulk 25073:8 25151:25 25158:20
25071:24 25081:14 25082:1 arrival 25134:22 arrive 25164:25	25121:9 attorney 25030:15 attorneys 25089:21 Attorney-General	bare 25159:18 Barnes 25005:3,6,11,14 25005:20 25006:3,12	25052:5,15 25055:3 25140:18 book 25121:20,22	bulk 25073:8 25151:25 25158:20 bullet 25140:24

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Email: realtime@mweb.co.za

				Page
25123:7,9 25132:8,9	25012:13,19 25013:1	25161:8	Colonel 25034:13	commissioner 25043:3
25140:17	25013:6,10,24	check 25054:13	25035:5 25043:1	25050:6 25054:19
bundle 25012:18,20	25015:25 25017:11	25074:7 25080:6	25053:3 25057:3,3	25080:21 25081:3
25104:18,20,21	25020:11,22	25081:1 25113:7	25058:1,7,7,8	25101:13,18,19
25105:7 25124:2	25023:11 25025:16	25115:14 25133:4,5	25166:13 25167:10	25104:17 25105:17
burden 25011:23	25027:2,4,21,23	checked 25125:7	colour 25093:3 25097:6	25107:15 25111:8
burn 25154:16	25028:19,23 25029:3	chief 25010:10	come 25012:10	25114:22,25 25115:6
bursts 25152:24	25029:10 25044:9,11	25012:25 25166:24	25019:24 25023:21	25133:2,6,12
BUSB 25010:7	25045:14 25056:16	25167:25	25041:11 25042:1,12	25142:22 25143:9,14
25012:13,19,21	25072:2,21 25088:2	circle 25096:19	25043:24 25071:4	25158:13
25013:6,6	25120:23 25121:12	circulation 25111:2	25072:16 25073:12	Commissioners
bush 25056:7 25151:24	25127:9 25130:9	circumstances	25078:3 25082:16	25063:17 25087:4
25158:22	25140:6 25151:5	25013:24 25020:21	25083:14,15	25116:4
business 25005:4	25165:25 25169:2	25026:21 25029:4	25085:25 25100:15	Commissioner's
25046:4,11,12,13	cases 25005:17	25049:9 25063:20	25109:11 25124:2	25143:20
busy 25049:21 25056:4	25012:18 25013:1	25065:4,11 25067:9	25150:14 25153:8	commissions 25007:19
25149:1 25157:25	25027:19 25080:19	25067:19 25126:19	25154:18 25155:4	25010:18 25014:14
25158:6	25080:20 25081:11	25141:6 25150:15	25159:18	25014:17 25015:16
buy 25110:9	casing 25095:14,15	25158:14 25163:6	comes 25041:2	25027:1,6
buy 25110.9	8	cite 25026:10	25122:15 25123:23	commit 25144:6
С	casings 25095:24			
	casualties 25055:21	cited 25011:13,15	25135:25	committed 25063:12
Calitz 25058:24	category 25063:10	25027:23	comfort 25014:1	25063:16
call 25034:16 25054:19	causal 25008:1	civil 25026:25 25027:9	25032:24 25033:5	committing 25144:5
25059:20 25074:14	25009:20 25017:14	clarified 25056:12	25034:1 25086:14,20	common 25014:22
25074:22 25075:19	cause 25072:23	25137:3	coming 25034:7	25015:10,12 25018:3
25079:11 25104:22	CB 25013:12,21	clarify 25029:17	25045:8 25080:14	25018:11 25024:11
25124:6 25151:21	cease 25151:23	25057:13 25114:22	25083:25 25100:12	25029:8 25140:19
25156:2 25164:13	25153:24,24 25154:2	25129:11	25150:1 25152:21	commonality 25159:6
called 25005:3 25099:3	cellphone 25020:1	clause 25055:20	25160:18	commotion 25099:3,10
25163:16	cells 25074:21 25075:4	clauses 25027:12	command 25054:20	communicated 25064:5
calling 25082:19	25075:8,10,12	clean 25049:24	25057:17 25058:5,18	25073:21 25076:16
calls 25154:2	centre 25071:20	clear 25023:12	25161:18 25164:11	communicating
camera 25022:23	25077:1,5 25127:10	25024:15 25028:24	25164:14	25076:13 25078:10
25166:20	century 25010:10	25065:20 25073:20	commander 25053:3	communication
Canters 25064:12	certain 25018:3	25073:24 25142:22	25124:3,10,21	25059:3 25073:14
can't 25016:6 25022:14	25110:6,22 25125:16	25143:1 25145:11	25132:21,22	community 25018:5
25058:23 25060:21	25158:3,5 25164:4	cleared 25056:7	25151:22 25161:24	25127:10
25067:18 25071:15	certainly 25010:14,17	clearly 25007:17	25162:3 25163:8	compare 25054:15
25072:3,7 25073:3	25025:17 25031:11	25014:13 25024:25	commanders 25057:20	compares 25055:23
-	certainty 25146:4,4	25045:22 25065:15	25058:2,5,13,16	compelling 25020:21
25075:7 25076:11,20				
25143:8 25149:22,24	cetera 25080:15	25118:5 25132:9	25059:2,8	complain 25023:21
25151:15 25156:25	25105:4 25110:8	25144:3	commend 25016:12	complaint 25050:7
25159:17,20	25112:7 25137:24	client 25026:1	commended 25016:11	complete 25127:16,21
capacity 25050:15	chain 25059:3 25107:6	clients 25063:20	comment 25081:16	completed 25116:24
25082:5	25113:16	25067:8 25087:8	25116:7 25144:16,21	25118:11 25132:23
Cape 25119:1,2	challenge 25024:19	close 25022:24	25144:23 25164:10	25133:7
Captain 25098:11,12	chamber 25019:22	25046:11,12,15,17	25164:16	completely 25036:25
25098:12,13,15	25169:11	25047:1,4,18	commented 25081:19	25138:23
25100:7,12 25101:25	chambers 25042:10	closed 25019:23	commission 25005:2	completeness 25018:18
25154:21	chance 25036:3	25035:20,22	25006:7,9,15,19	completes 25127:20
				25128:17
captured 25147:4	25160:19	cluster 25104:4	25007:7 25008:2	
carries 25020:1	chaos 25122:4	coaching 25021:22	25014:15 25017:8,14	completion 25047:10
Carroll 25016:11	charge 25070:17	coin 25151:7	25017:20 25018:6,9	complicating 25118:16
carry 25020:4	25071:25 25072:24	coincide 25125:17	25024:13 25026:9	comply 25070:1
25036:15 25049:17	25140:21 25141:23	25159:3	25029:12 25034:1,5,5	conceding 25142:2,5
25056:8 25072:11	charged 25139:25	coincided 25113:8	25034:6 25038:4	concentrate 25041:13
carrying 25119:16	25140:4,6 25141:1,9	coincidence 25130:14	25043:16 25047:2,5	concept 25012:24
25131:17 25160:10	25141:16 25142:7	25159:1	25047:24,24,25	conceptual 25010:24
cartridge 25095:10	25146:7,11	coincidences 25130:16	25057:13 25086:21	concern 25022:7
25096:23 25097:20	charges 25146:18	collapse 25123:10	25086:21,22 25087:2	25024:2,3,8 25026:4
25098:5 25119:19	charging 25140:20	collate 25126:4,7		25103:12
11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			25108:25,25 25109:1	
cartridges 25095:8	chasing 25163:19	collating 25121:19	25113:15,22 25140:1	concerned 25010:15
CAS 25081:5	Chaskalson 25140:8	25122:19,22	25150:6 25160:24,24	25020:2 25022:24
			0 = 1 (0, 0 = 0 = 1 (0, 10)	25024.22 25020.24
case 25006:22 25007:6	25146:24,25	colleague 25155:25	25160:25 25166:19	25024:23 25029:24
case 25006:22 25007:6 25007:20 25010:7,7	25148:10 25149:2,15	colleagues 25005:13	25169:15	25045:23 25065:21
case 25006:22 25007:6				

RealTime Transcriptions

Pretoria

				Page
25118:22	25064:15	25102:1,3 25114:4	25148:23 25167:11	25034:4 25048:6
concluded 25050:3	continue 25094:24	25115:10 25119:3,8	cross-examiner	25057:24 25100:17
conclusion 25098:21,24	continued 25057:4	25120:18 25123:11	25166:2 25168:17	25112:3 25114:8
conditionality	continues 25108:3	25131:11 25138:8	cross-examining	25127:6,11 25139:18
25145:25	continuous 25073:14	25146:9 25161:16	25167:5 25168:19	25120:9 25146:24
			crowd 25090:24	
conduct 25025:17	contrary 25008:6	25165:18 25168:10		25161:9 25166:9
25143:5	25015:10 25169:3	court 25007:12	25091:6,11,20	death 25040:18
conducted 25064:9	contributing 25149:10	25012:19,20 25013:2	25112:7 25114:16	25043:20 25051:21
conducting 25115:25	controversial 25025:21	25013:16 25015:24	25116:10 25140:13	25054:7 25055:4
confidence 25021:1	25026:8	25015:24,24,24	25140:23 25141:4	deaths 25064:24
confident 25167:1	convenience 25012:6	25026:14 25027:6,16	Crystal 25023:12	25065:9,16,20,22,22
confined 25148:17	25017:3	25027:16	current 25090:21	25066:14,17,18,23
confirmatory 25033:9	convenient 25010:5	courts 25012:8 25019:9	25158:15	25067:2,3,4 25140:8
-	25086:18 25160:15			
25034:12 25040:8		25139:24	currently 25090:15	25140:8,11 25141:9
conflating 25029:23	Convention 25026:19	cover 25037:10	25091:3 25116:15	25141:15
confront 25062:2	25026:24 25027:7	25100:23 25137:15	25122:16	debate 25010:19
confrontation 25021:9	conversation 25022:12	25153:4	cursory 25036:8	debated 25142:3
25021:11	25072:13,15	covered 25029:17	cut 25059:2 25130:4	debating 25050:18
confronted 25073:15	conversely 25156:7	25049:25 25069:21	cutting 25016:7	deceased 25024:24
25076:7,8 25083:24		25137:16 25148:9	catting 25010.7	25050:22 25051:3,10
,	conversing 25070:24		D	
25084:17	convey 25031:10	25149:6,15 25150:3		25051:13,21 25052:5
confusion 25124:15	conveyed 25031:9	25152:22 25164:18	D 25006:4 25017:19	25055:3,25 25065:12
connected 25049:10	convicted 25019:24	25165:15	dangerous 25064:4	December 25104:13,15
connection 25008:1	25141:17 25142:6,8	covering 25084:10	25079:5	decide 25167:19
25009:20 25017:14	cop 25154:17	25097:1	Darren 25033:10	decided 25042:10
25022:16,17,19,20	copies 25005:15,16	covers 25029:20	dash 25161:23	25087:9
25023:7 25063:19	25027:15,18 25028:1	co-ordination 25108:3	date 25103:13	deciding 25016:2
conscientiousness	25033:24 25034:7	crawl 25153:16	25106:20 25124:25	decision 25031:6
25019:6	сору 25012:12,17	25154:5,7	dated 25105:14	25050:14 25064:5
consent 25046:1	25034:9 25100:25	crawled 25154:6	25106:8,11	25079:12
consider 25023:20	corner 25013:7	crime 25081:1 25144:5	day 25042:12 25044:3	decisions 25145:12
25042:13 25084:5	corrected 25098:10	25144:6	25050:18 25060:8	declare 25130:11
25149:7,9,9 25167:23	correction 25062:23	crimes 25143:23	25084:22 25099:24	declared 25126:11
consideration 25012:2	correctly 25043:8	criminal 25012:21	25100:3,5 25126:1,3	defence 25141:6,7
25024:5 25043:1	25071:15 25078:2	25025:17 25026:25	25126:10,14	definitely 25102:10,23
considerations 25017:2	corroborated 25156:17	25027:9 25069:23	25134:13 25135:18	delay 25047:15
25017:22 25018:3	corroborates 25156:13	25070:2 25081:11	days 25040:3 25042:9	deleting 25015:20
25029:5	corroborations	25139:24 25145:13	25042:12 25126:2	deliberately 25048:22
considered 25065:23	25156:16	25146:5,11	25166:14,25	demanded 25039:10
25120:13	cost 25017:1 25038:4,6	criticised 25053:10	DD 25054:17	demands 25015:15,15
consistently 25012:3	25038:7,8,8	criticism 25040:6	dead 25053:10 25135:3	25021:11
consolidated 25053:25	costing 25039:7,9	25050:7,20	25139:13 25140:18	demeanour 25022:8,10
constable 25156:20	25040:5 25044:9	criticisms 25056:15	25141:5 25154:9	25022:14,16
constitution 25014:13	costs 25033:11	cross 25023:4 25048:3	25167:1	demonstrate 25150:5
25014:23 25015:3,4,7	couldn't 25050:19	25049:13 25054:3	deal 25006:4,13,20	demoted 25137:10,13
25015:13 25016:17	counsel 25021:18	25089:23 25100:25	25014:5,7 25016:25	deny 25006:10
25017:24 25029:7	25074:24 25078:10	25148:13 25150:8	25017:18 25018:2,6	25037:14
constitutional 25073:7	25122:9 25167:11	25148.15 25150.8	25017:18 25018:2,0	departing 25165:23
25077:3,12	counteract 25036:10	cross-check 25119:17	25023:8 25024:11	departmental 25146:12
consult 25042:20	25132:6	cross-exam 25057:25	25026:25 25027:1,10	depending 25117:25
contacted 25047:18	counteracted 25019:20	cross-examination	25027:13 25035:15	25146:17
CONTD 25048:10	countermanding	25021:10,13 25024:3	25035:20 25036:3,7	depleted 25110:8,12
25089:8 25109:18	25038:7	25029:9 25048:10	25037:4 25048:14,21	25111:1 25112:5
25161:5	counterpart 25055:17	25050:18 25087:16	25053:25 25056:11	depletion 25110:24
contend 25008:6	couple 25049:23	25089:8 25090:7	25063:2 25073:2,4,13	deployed 25050:15
25015:9 25037:9	25059:24	25109:16,18	25081:23 25089:25	deponent 25043:3
25045:11	course 25006:9	25113:10 25139:18	25109:10 25146:23	deprive 25088:9
content 25047:12	25007:3,25 25008:16	25148:24 25150:7	25152:8 25159:12	deputise 25005:4
contention 25008:19	25010:11 25017:15	25155:11,20	25166:19	derive 25013:25
25023:24	25017:23 25018:7	25160:15 25161:5	dealing 25022:6	derogant 25006:24
contested 25053:13	25023:23 25025:9	25164:4 25168:7	25033:11 25089:13	derogate 25007:2
COMPOSICE LJUJJ.1J	25033:4 25037:3	cross-examine		describe 25077:15
7.11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	20000.4 20007.0		25109:19 25121:23	
context 25011:11		0E140 10 0E140 0 17		
context 25 011:11 25057:7 25060:14	25044:23 25048:20	25148:18 25149:8,17	deals 25011:10	25141:20 25148:2
context 25011:11 25057:7 25060:14 25135:6 25136:3,7,12	25044:23 25048:20 25051:1 25056:2	25167:10,15 25168:1	25024:10 25027:8	described 25075:8
context 25 011:11 25057:7 25060:14	25044:23 25048:20			
context 25011:11 25057:7 25060:14 25135:6 25136:3,7,12	25044:23 25048:20 25051:1 25056:2	25167:10,15 25168:1	25024:10 25027:8	described 25075:8

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

25142:14 25148:3	25123:2	disputing 25131:24	25132:7,8,17,17,23	Paç 25061:4,5,22,25
25142:14 25148:5	difficulties 25045:7	distance 25072:5	25132:23,25 25133:2	25061:4,5,22,25
describes 25021:8		25077:1	-	
	difficulty 25010:25		25133:5 25144:10	engaged 25060:5
25155:13 25156:7	25017:1 25140:18,20	distinguish 25088:1	D-O-O-R-S-O-N	25138:22
25158:8,18	direct 25009:16	distributed 25087:3	25028:15	engagement 25061:18
describing 25158:17	25021:14 25022:4	District 25013:16	E	Engelbrecht 25050:6
description 25095:15	25164:20	disturbance 25020:1		English 25011:4
25106:21 25155:10	directed 25164:22	disturbed 25035:10	earlier 25018:21	25032:13 25073:22
25159:3	direction 25060:20	Division 25013:16	25055:8,10 25056:1	enhance 25018:23
Designated 25161:18	25068:24 25069:9	docket 25144:7	25085:8 25100:25	25050:15
desirability 25010:18	25153:23	dockets 25081:8	25108:7 25109:22	Ensure 25108:3
25014:20 25015:18	directions 25152:21	Doctor 25137:15	25112:3 25113:10	entered 25080:22
desirable 25010:14	directly 25021:19	doctrine 25140:19	25165:23	25081:2 25158:22
25014:2 25031:7	25025:6,15 25026:3	document 25048:18,20	early 25005:18	entirely 25023:5
25032:18 25166:9	25030:1 25151:13	25077:12 25089:5	easier 25090:3	entitled 25024:19
desire 25016:8	disadvantage 25023:23	25109:5 25123:22	eastern 25068:25	entry 25080:24
desirous 25143:11	disadvantaged	25125:7 25133:7,12	effect 25014:23	envisaged 25019:12
25145:16 25146:6,7	25033:25	documents 25036:9	25046:7 25064:12,22	equally 25033:25
despite 25079:10	disarm 25079:7,8	25038:4 25081:11	25150:20	25145:16
25114:5,13	25084:10 25085:11	25104:4,8 25123:23	effected 25067:10	equipment 25125:22
detail 25006:13	disarmed 25084:13,16	25147:1	effective 25029:9	equivalent 25015:2
25009:18 25127:7	25084:21 25159:19	doesn't 25008:17	effectively 25015:20	errors 25062:18
details 25148:5	25160:1	25016:12 25021:22	25024:20 25029:19	escalation 25142:15,2
detained 25077:5	discharge 25008:4	25023:18 25027:1,7	25035:11 25057:14	25143:10,14
detect 25008:8	25060:20 25126:21	25039:3 25041:8	25058:12 25111:14	escorted 25153:20
detected 25120:6	25126:24	25102:2 25126:10	25114:18 25135:12	especially 25015:13
detective 25034:11	discharged 25126:3,16	doing 25070:4,14	25135:21	essential 25013:18
detectives 25077:2	25126:18 25127:17	25072:18 25076:18	eight 25040:3 25132:9	25021:9
determination 25017:8	25120:18 25127:17	25110:15 25123:22	either 25037:24	essentially 25006:4
determine 25115:25	25129.17 25130.18	25146:10 25163:22		25009:24
determines 25007:19			25043:2 25066:12	
	discharging 25128:17	Doorson 25028:10,14	25067:2 25071:13	establish 25007:24
development 25035:10	disclose 25048:23	25028:16	25074:2 25100:12	25082:8 25113:23
deviating 25165:23	25049:15	doubt 25008:5 25015:9	25102:16 25141:8	established 25009:21
dicta 25010:8	discovered 25114:3	25089:20 25101:6,9	25147:18,20	et 25080:15 25105:4
dictated 25106:25	25116:6 25134:23	25166:7	25163:14	25110:8 25112:6
dictum 25012:25	discreet 25044:8,10,17	downloaded 25012:22	elaborate 25167:9	25137:24
25013:20,21	25045:10	downwards 25151:12	electronic 25022:6	etcetera 25069:21
didn't 25008:8	discreetly 25044:6	drastic 25142:15	element 25145:25	25071:5 25072:14
25042:24 25052:16	discretion 25006:7	25143:10	emanated 25061:2	25073:9 25076:19,2
25065:25 25093:11	25012:4 25016:2,3	draw 25009:2 25026:17	emanates 25095:13	25156:10 25158:18
25093:12 25101:1	25018:9 25029:11	25062:19 25089:13	emerge 25028:23	European 25026:19,2
25106:25 25114:20	discuss 25169:8,10	25098:22	25029:3	25027:7,15
25141:2,3 25143:17	discussed 25145:10	drawing 25032:15	emerged 25027:18	event 25037:11
25148:2 25149:22	25166:24	drawn 25010:8	25029:13	25098:20 25133:15
25162:15	discussing 25159:14	25016:20,21	emergency 25064:19	25147:19 25159:9
die 25052:16 25140:13	discussion 25050:11	25086:13 25110:22	emotional 25024:25	events 25085:18
25140:24	disk 25096:20,20	drew 25032:18	emphasise 25028:23	25109:23 25147:2
died 25051:7 25052:2	25097:3,5,10,13,13	drop 25071:3 25073:12	25114:21 25150:2	eventually 25074:6
25052:13,16	disks 25101:2	25073:16,18	empowering 25010:12	25145:18 25164:25
25139:14,15	dispensation 25091:17	25076:17,24	enable 25012:17	everybody 25019:21
difference 25078:6	dispersal 25078:17	25078:18,21	25041:20 25128:2	25058:8
different 25008:17,21	25079:7 25084:17	25083:24	enabling 25010:12	evidence 25008:12
25010:16 25019:25	25085:14	dropped 25084:4	enactment 25007:15	25009:16 25018:18
25020:16 25078:4	disperse 25064:6,7	dry 25118:4	encompass 25014:2	25018:24 25024:15
25082:11 25122:10	25078:18,22 25079:7	Du 25027:2	encounter 25054:9	25024:18 25025:1
25129:1 25131:21	25079:8 25084:9	due 25048:20 25087:7		
			encouraged 25025:7	25031:5 25032:4,7,
25137:4 25138:18,23	25085:10,11,13	duties 25112:8	endeavouring	25041:3,21 25060:4
25139:23 25152:21	dispersed 25078:18	duty 25019:6 25125:13	25010:19	25061:14 25063:17
25158:14	25085:9,9,21,24	25127:4,6,11,19,24	ended 25151:25	25065:14,21 25075:
differently 25045:11	25086:2,5,7	25127:25 25128:8,14	endorse 25007:22	25077:13 25079:23
25126:1 25145:24	dispersion 25163:19	25128:14,16,18,25	25017:25	25100:4,13 25109:2
difficult 25015:19	25164:7	25129:2,3,6,9,10,12	endorsed 25014:11	25116:25 25120:17
25022:9,15 25040:15	displace 25011:24	25129:13,19,23	ends 25055:19	25134:4 25138:5,17
			6 (05010.15	05140.0.10.05140.5
25080:13,16	display 25038:4	25130:1,6,6,10,11,15	enforcement 25013:15	
25080:13,16 25081:20,22 25087:7	display 25038:4 dispute 25008:14,18 disputed 25008:22,24	25130:1,6,6,10,11,15 25130:17,22 25131:3	enforcement 25013:15 engage 25022:12	25142:9,13 25143:7 25144:6 25147:11

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Marikana Commission of Inquiry

				Page 6
25156:17 25159:6	explain 25031:21,24	falls 25121:1	25126:24 25127:18	forensically 25119:17
25163:15 25168:9,13	25057:16 25064:2	falsetto 25062:25	25128:17 25129:18	foresaw 25065:9
25168:14	25110:5	families 25024:17,21	25130:18 25131:17	25066:23
evidence-in 25167:24	explained 25076:9	25025:24,25	25137:8	foreseen 25063:23
evidence-in-chief	25131:21	family 25009:9	firearms 25128:13	25064:20,25
25166:16	explains 25135:25	25025:10	25134:11 25138:24	25065:23
exact 25060:22	explanation 25035:13	fanciful 25120:20	fired 25060:17	forgive 25016:19
25067:19 25143:20	25041:9 25043:10,18	25121:2,3,4,13	25095:25 25112:24	25049:25
exactly 25053:23	25137:21 25165:3	fancy 25141:17,20	25119:4 25121:14	form 25033:14,17
25082:8 25083:13	explanations 25035:17	far 25010:12,12,14	25123:13 25129:2	25090:16,18
25087:23 25096:21	25035:18 25141:18	25015:2 25022:21	25130:24 25131:25	25114:13 25121:5
25099:13,22 25100:7	25141:20	25024:22 25025:5	25131:25 25132:10	25126:25 25127:16
25105:5 25115:2	explanatory 25034:12	25027:1,8 25029:22	25132:20 25133:8	25128:4
25116:3,12 25126:8	expression 25046:13	25030:16 25052:25	25140:17	formal 25077:11
25146:10 25147:13	expressions 25022:21	25058:4 25062:2	firing 25060:24	forth 25012:24
25158:18	extensive 25044:15	25065:13 25069:8	25061:3,4	forthcoming 25035:18
examination 25049:14	extensively 25148:10	25070:3 25092:11,14	first 25014:6,10	25087:19 25144:6
25101:1 25150:9	extent 25022:5 25064:18,23 25065:7	25118:1,21 25163:25	25017:12,15 25019:4	fortunately 25121:11 formum 25027:24
examine 25089:24 25148:14	25064:18,23 25065:7 25066:21	fashion 25066:21 25131:22	25022:3 25028:9 25035:3 25036:20	forum 25037:24 forward 25059:7
examines 25167:3	extra 25044:25 25045:1	favour 25006:8	25044:24 25050:2,18	25101:11 25128:19
examining 25023:5	25149:5	25008:7 25020:9	25044.24 25050.2,18 25054:16,16	25128:19 25134:21
25048:4	extremely 25018:13	favourably 25042:3	25055:18 25057:12	25128.19 25134.21
example 25005:23	e-evidence 25032:10	fear 25009:17,19	25086:15 25087:2	25162:16,21
25029:22 25032:13		25040:19	25092:24 25093:2	25163:22,25 25164:6
25036:11 25037:1	F	February 25005:1	25102:11,13	25164:21
25038:3,7 25041:5	face 25024:19 25062:2	25040:11,13	25104:14 25108:15	found 25011:19
25045:17 25074:9	25083:7 25152:22	fell 25059:8 25153:14	25113:10 25115:13	25023:5 25099:6
25119:1,2 25132:3	25165:3	25153:15,18	25134:21 25159:23	25100:2,3 25104:4
exchange 25022:3,5	facie 25038:11 25045:2	fellow 25042:20	25167:3	25110:24 25120:9
exclude 25121:4	facilities 25075:5	25152:16	firstly 25006:14	25139:14 25161:13
executed 25076:16	25111:25	FHA 25162:2	25038:10 25067:9	four 25065:14
exempted 25085:5	facing 25153:23	file 25041:22 25046:2	25082:12 25130:17	25066:11 25093:18
exercise 25006:7	fact 25008:14,18	25046:10,24	25148:9 25159:17	25094:12 25121:23
25016:2 25038:9	25017:20 25018:20	25123:24	25164:17	framed 25099:23
25039:8,9 25040:5	25022:5 25028:9	filed 25009:6 25024:16	fit 25166:15	frames 25046:20
25041:13 25081:15	25030:8,11 25038:18	25036:1 25044:25	fits 25149:22	frankly 25039:9
25116:23 25118:17	25040:6 25059:5	25046:17 25047:4	five 25020:2 25060:21	freely 25085:10
25119:8 25125:9	25069:20 25079:10	fill 25126:25 25128:4	25088:24 25136:10	Friday 25042:11
25145:8 25158:21 25160:5 25164:24	25083:19 25086:13 25100:8 25103:10	filled 25112:17 finalisation 25047:15	25140:23 25141:5,8	25054:1 25137:16
exercises 25112:6		finally 25018:6	25149:3,4,11,23 flexible 25149:9	friendly 25150:20 25151:2,10 25168:22
exercising 25016:1	25114:5,13 25121:3,5 25131:24 25132:15	25020:25 25026:16	flow 25018:14	25169:1
25018:9 25029:11	25131:24 25132:15	25020.25 25020.10	flows 25049:15	friends 25028:1
exhibit 25019:17	25136:5,17 25143:11	find 25005:7 25013:4,6	25163:11	front 25022:23
25034:17 25054:17	25148:3 25150:5	25050:19 25061:2	focused 25101:4	25096:23 25104:13
25055:8 25088:21	25160:4	25122:3 25131:15	follow 25071:9	25119:18 25150:25
25095:19 25100:19	factor 25018:18	25139:13 25151:22	25155:16	25153:22
25104:22 25109:8	25019:11,25 25020:8	25156:25,25 25157:2	followed 25086:10	Fuels 25007:7
25124:5,7 25134:17	25020:8,16,17,22	25159:2 25164:9	following 25005:24	full 25029:9
25147:4,12 25155:15	25120:12	finding 25143:24	25006:11 25007:13	fully 25017:25
25156:23,25	factors 25017:7	fine 25050:16 25136:13	25009:7 25021:8	25024:20
25157:24	25020:20 25118:16	25137:25 25165:2	25029:7 25032:12	function 25141:24
exhibited 25019:8	facts 25045:12 25141:9	finish 25166:8	25107:22 25152:9	further 25009:15
exhibits 25034:13,14	fail 25041:6,11 25064:7	finished 25113:22	follows 25058:1	25015:25 25019:3
25080:22 25104:11	failed 25017:10,16,17	finishing 25109:10	follow-up 25072:24,25	25041:22,24
expect 25047:21	25079:8 25084:9	fire 25060:20 25062:5	25073:1	25045:21 25047:15
25148:14 25149:3	fair 25037:19 25063:22	25126:20 25139:15	footing 25020:16	25072:21 25156:17
expected 25057:15	25065:8,18 25091:5	25150:20 25151:2,9	footnote 25026:11	25157:24 25165:25
25102:7,20 25103:8	25091:18,21 25116:7	25151:10,23	25027:24 force 25001:14 22	futile 25038:10 future 25150:1
25105.4	23141:20 23144:10	25152:24 25153:24 25153:24 25154:2	force 25091:14,22 25151:22	future 25150:1 fuzzy 25023:8
expecting 25152:23 expedient 25012:5	25144:23 25147:18 25148:21	25153:24 25154:2 25168:22 25169:1	forced 25080:14	1022y 23023.0
experience 25012:5	Fairly 2 5023:14	firearm 25121:21	forcefully 25039:17	G
experienced 25024:8	fairness 25168:18	25125:13,15,21,22,23	forces 25161:25	Gaffley 25058:8
25147:16	fallen 25160:8	25126:4,10,17,18,21	25162:1,16	GANASEN 25048:2
ARCHIVE EO				STR. 11 (20070.2

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Marikana Commission of Inquiry

25085:15 251135 25116 22 25032:16.17.25096-6 25032:16.17.25096-6 25032:16.17.25096-6 25032:16.17.25096-6 25032:16.27.210 Hundred 25152:1 25085:35 25055:16.2072:21 balf 25041:12 balf 25041:12 25032:16.2072:12 paring 2500:25 25034:14.2508:15 balf 25041:12 balf 25041:12 balf 25041:12 paring 2500:25 25054:14.2508:15 balf 25041:12 balf 25041:12 <th></th> <th></th> <th></th> <th></th> <th>Page</th>					Page
gathering 2506-43,4.6 25152-2 25032:16.17 2509-6 2514:29:2144:16 20undred 2515 250873:6,11.3 goos 25014-3 2504-2 25148:2 2515:20:2515:20:21 hundred 2515:20:2515:20:21 gazed 25021:12 gooin 25006-23 gooin 25006-23 25005:10:2007:11 epicoralize 2515:12:3 tother 2505:10:2507:15:12:51 generative 2512:15 25006:12:2010-9 25007:12:207:11 belicopter 25151:23 tother 2506:10:2014:12:10:13:10:11:15:10:14:10:14:10:14:15:12:11:15:10:14:10:14:10:14:15:12:11:15:10:14:10:14:10:14:12:11:15:10:14:10:14:10:14:12:11:15:10:14:10:14:10:14:12:11:15:10:14:10:14:10:14:12:11:15:10:14:12:10:14:10:14:10:14:12:11:15:10:14:12:10:14:10:14:12:11:15:10:14:12:10:14:10:14:12:10:14:10:14:12:10:14:10:14:12:10:14:10:14:12:11:15:10:14:12:11:15:10:14:12:11:15:10:14:12:11:15:10:14:13:12:11:15:10:14:13:12:14:11:15:14:14:12:14:15:15:14:15:15:15:15:14:15:15:15:14:15:15:15:15:15:15:14:15:15:14:1	gathered 25074:13,17	25140:25 25141:11	25054:7 25055:3	25066:12 25102:12	housekeeping 25033:23
25095;5,5 25055;16 25073;17 25152:20 25153;23 hundred 25056 gazed 2501;12 going 25054;25 25063;25 25063;25 25063;25 25063;25 25063;25 100074;25054;25 generaita 25066;23 25006;12 2		25145:9 25150:11	hadn't 25011:19		human 25024:25
25079;5,6,11,13 goes 25014:32 2004:23 25148:23 25152:20 25153:23 hundred 25056 gazed 2501:12 going 25005:42 25014:12 (hundred 25056 hundred 25056 gazed 2501:12 25006:12 25006:12 25006:12 25006:12 25006:12 5006:12 hundred 25056 generalia 25006:12 25006:12 25006:12 25006:12 5006:12 hundred 25056 25006:12 5006:12 25006	gathering 25064:3,4,6	25152:2	25032:16,17 25069:6		25026:19
gaze 25019:7 25128:16 hand 25007:18 25033:13 25041:9 1 gazed 25021:12 going 25005:1,2 25006:12 2510:22 25167:20 25167:20 25167:20 25065:15 2511 generalia 25006:13 25004:14 25002:13,25 25003:72 25038:14 25009:11:6 25012:17 25009:11:5 25009:17 25009:11:6 25012:17 25009:11:2 101:8,16 25111:8 25107:22 25156:10 help 25011:8,16 25101:13:19 25009:11:2 101:8,16 25101:13:19 25009:11:2 101:8,16 25101:13:19 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10 25109:14:12:10:11 25109:14:12:10 25109:14:12:10:11 25109:14:12:10:11 25109:14:12:10:11 25		goes 25014:3 25054:23	25148:23	25152:20 25153:23	hundred 25152:19
gazed 2502112 going 25005:4,25 25044:14 25103:15 25166:20 L generalia 25006:12 25006:12 20109:23 25005:12 2015:61 belic 25018:15 25059:7 idea 25044:12 25045:12 generalia 250202:12 25022:19:2020 25005:12 5007:12 25005:12 5007:12 25005:11 25018:16 25050:11 25018:16 25050:11 25018:16 25050:12 5007:12 25009:11 25018:17 25009:11 25018:17 25109:12 5008:17 25109:12 5008:12 25009:11 25018:17 25109:12 5008:12 25009:11 25018:17 25109:12 5008:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:12 25108:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:14 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 25109:12 5009:12 <td< td=""><td></td><td>25055:16 25072:21</td><td>half 25041:12</td><td>hearing 25020:25</td><td>hundreds 25056:18,19</td></td<>		25055:16 25072:21	half 25041:12	hearing 25020:25	hundreds 25056:18,19
Back Dol. 1/2 Born B 2001-1/2 Born B 2001-		25128:16		25033:13 25041:19	
generatike 2500:23 250147.25019:23 handed 2503414 belicopter 25151:23 250051.25021.1 generatike 251215 250023.10.25025.4 250357.25047.1 belg7011525012.1 2511112 generatike 25102.10.2 25039.11.25013.2 25039.11.25013.2 251031.0 251117.1 identified 25115.2 generatike 25105.10.1 25009.11.25008.13 25009.11.25008.13 25109.24 25109.10.1 25109.24 25109.21 251		going 25005:4,25	25044:14 25103:15		· · · · · · · · · · · · · · · · · · ·
generalize 35122:15 25020:13.2.52 250357: 25047:1 belg 25011:6 25012:16 identified 25115 25090:11 25092:5 25022:19.2.0.2 2509371: 725133.6 belg 70125101:8,16 25121:15 generals 2510:0.10,7 250034: 25032:25 bands 25032:25 bands 25032:25 belg 7022:25008:21 25090:21:25081:3 25192:23 25103:16:25084:60 25101:13:19 identify 25080:21 25101:13:19 identify 25080:21 25001:12:2501:13 25109:12:2501:12 25101:12:2501:12 identify 2508:12 25101:12:2513:24,01 25001:12:2501:12 identify 2508:12 25001:12:2501:12 25002:12:2508:13 25009:12:2501:12 25009:12:2501:12 25009:12:250:12:2 25009:12:250:12:2 25009:12:250:12:2 identify 2508:12 25009:12:250:12:2 image 2503:11:13:2511:12 2510:12:251:12 identify 2508:12 identify 2508:12 identify 2508:12 image 2503:11:13:251:12:2 25103:12:251:12 image 2503:11:251:12 image 2503:11:251:12:12 image 2503:11:12:12:12:12:12:12	0 0				idea 25044:25 25045:8
generally 25014:14 25022:19.20,20 25093:17.25113:8 25090:11.25101:8,1 25117:1 generals 25130:10,17 25030:4.25032:25 Dands 25032:25 Deptil 25101:1 251017:1 25117:1 genteman 25079:17 25092:2 25069:9 25084:2 25068:1 25076:17.25081:1 25101:13.19 25101:13.19 25101:13.19 25101:12.25081:1 25101:13.19 25101:13.19 25101:13.19 25101:13.19 25101:12.25081:1 25101:14.221.25 25111:15 25101:13.19 25101:13.19 25101:12.25081:1 25101:12.25081:12 25101:12.25081:12 25101:13.19 25101:13.19 25101:12.25081:12 25101:12.25081:12 25101:12.25081:12 25101:12.2508:12 25011:12.2508:12 25011:12.25081:12 25011:12.25081:12 25011:12.2508:12 25017:12 25011:12 25017:12.2508:12 25007:11.22 25007:11.22 25007:11.22 25076:11.22 25076:11.22 25076:11.22 25076:12.25076:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12 25007:12					25045:15 25112:5
25009/11 25092:5 25033:10 25025:4.6 25157:3.10 Helpful 25117:1 identify 25080:1 2s1131:9 25034:10 25025:4.6 25073:17 25083:1.7 25080:21 25081:1.7 25101:13 29111:13 29120:1.7 25101:13 29111:13 29120:1.7 25101:13 29120:1.7 25101:13 2911:13 29					identified 25115:23
generals 25130:10,17 250304 22032:20 hands 25032.25 Hemral 25042.23 2513:9 2513:9 2513:9 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.13 25082.23 25082.13 25082.23 25082.13 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23 25082.23					
25131-9 2504:22 22048:15 25073:17 25083:17 25080:21 25081:3 identifying 2501 gentleman 25079:17 25063:2 2506:9 25084:23 2506:1.16 25114:12 25114:12 25114:22.17 identifying 2501 gitter 25100:7 25107:14 25110:1.17 25159:18 25160-9 25113:15 2514:11 25108:16 25134:2.5 25107:14 25107:21 ide 2502:11 ide 2502:11 25113:15 2514:11 25108:12 2508:3 2508:12 2508:3:13 25108:12 2508:3:13 2508:12 2508:3:13 25113:15 2514:11 25108:12 2508:3:13 2508:12 2508:12 25131:15 2514:11 25131:15 2514:11 25108:12 2508:12 2508:12 2508:12 25131:12 2514:12 2511:12 2511:12 2514:12 2508:12 2508:12 2511:12 2511:12 2514:12 25100:14 2513:12 25100:14 2513:12 25100:14 2513:12 25109:12 2508:12 25109:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:12 2500:12 2509:1			-		-
gently 25038:16 25088:16 25088:16 25088:16 25109:17 25119:9 gently 250578 25070:17 25070:25071.4 25108:16 25101:17.10 25108:16 25101:17.25107.11 25108:16 25101:17.25107.11 25108:16 25101.17.25107.11 25085:4 25079:11.13.29 25085:4 251079:11.13.29 25108:12 25118:12 25118:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25086:14 25108:12 25108:12 25079:11 1308 25079:11 25088:12 1106:00 LPC 1106:00				÷	
gently 25025:18 25063:2 25064:23 25084:23 25104:17 25102:11 idle 25021:11 getting 25120:7 25070:5 25070:5 25070:5 25111:5 25111:5 25111:5 25104:17 25105:22 25111:5 25104:17 2505:22 25111:5 25104:17 2505:22 25111:5 25104:17 2505:22 25111:5 25104:17 2505:22 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2505:42 2506:41 2505:42 2506:41 2505:42 2506:41 2505:42 2506:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:41 2505:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 2500:42 <					
permane 25017.8 getting 25102.7 Gilbert 25005:11 25070:12 52071:4 25076:10,19 25076:10					
perting 25120;7 25076:10,19,25087.3 25152:22 25153:9,11 25115:6 25133:2,6,12 25079:11,32 giber 25005:11 25100:14 25107.9 25159:12 25153:14,10 handwriting 25093:13 herwith 25107:21 image 25023:7,1 giber 250028:68 25131:15:25141:15 25023:12 25131:41:15 bandwriting 25093:13 he'll 25038:25 image 25023:7,1 25024:12 25056:14 25161:24 251628:13 25162:12 2517:14 25106:14 25107:6 UK60961.JPC 25004:12 25056:14 25151:12 25128:12 25107:14 25152:12 25108:13 25163:12 25108:13 25137:12 2508:16 2508:17 JMG0961.25095 25006:14 25076:20 25161:12 25113:16 25167:15 25168:3 25147:11,21.13 bidd e25073:9 JMG0962.2509 25107:17 2517:12 25038:16,17 25048:11 25167:15 2513:9 JMG0962.2503 JMG0962.2503 25117:17 2517:12 25038:12,17 25043:4 2518:17 JMG0962.2503 JMG0962.2503 25117:12 2517:12 25044:11 251513:18 25167:12 2503:14 2518:13 2518:12 25017:12 25013:12 25164:15 Amppening 25113:18 2513:12:12 JMG0962.12 25017:12					
Gilberi 25005:11 25100:14 251107:9 25153:12,14 25153:13 25085:4 gist 25072:15 25129:3 25130:15,17 25139:12 25160:9 herwith 25107:2 imagine 25034:1 25023:12 2504:32 25149:15 25143:19 25128:12 25035:317 25156:12 25067:14 25107:6 imagine 25034:1 25044:13 25045:3 2516:12 2516:12 2516:12 251217:4 25106:12 2513:12 25106:12 2513:14 25109:12 2516:12 25106:12 2515:12 25106:12 2515:14 25159:12 25106:12 2515:15 25106:12 25151:12 25106:12 25151:12 25104:12 25151:12 25104:12 25117:10 25006:14 2507:9 1MG0906 25005:12 25104:12 25117:10 25106:12 25106:13 25106:12 2515:15 2504:33 25106:13 25142:13.15 hidden 25073:9 1MG0902.2906 25104:12 25117:10 25007:14 25107:8 25104:12 25016:13 25104:12 25013:12 25104:12 25016:13 25164:24 hidden 25073:9 1MG0902.1PG 25104:12 25013:12 25104:13 25106:13 25104:14 2517:7 happening 25118:17 hidden 25073:9 1MG0903.214 25010:12 25013:12 25014:13 25106:13 25104:14 2517:7 25107:12 25002:13 25164:24					8
gist 25072:15 25129:3 25130:15,17 25159:18 25160:9 herewith 251072:1 lilegily 25064:1 25002:2 5208:6,8 25130:22 25131:4,10 hadwriting 2509:13 herewith 251072:1 lilegily 25064:1 25042:14 25045:13 25142:13 25142:13 25128:12 25007:19 25098:13 lilegily 25064:1 25042:14 25056:14 25151:12 25128:12 25107:14 25107:61 25100:14 25107:61 25008:13 725133:7 25133:7 25133 25093:18 2509 25066:14 25076:20 25161:69 25166:12 25142:13,15 hidd mc 25073:9 lilegily 25064:1 25107:17 2517:17 25098:16 25087:9,10 25167:52 52168:3 25167:13 2113:18 25167:13 2113:18 lilegily 2506:14 25107:17 2517:12 25008:14 25076:13 25008:14 2507:13 22 2508:14 25015:19 25098:12 25013:12 25113:18 25152:10 2513:32 lilegily 2506:14 25076:19 25098:12 25107:17 2517:12 gotten 25164:15 pappens 2512:13 25152:10 2513:42 25169:13 lilegily 2506:14 25074:22 2506 25013:2 25013:12 gotten 25164:15 pappens 2512:13 25169:14 25074:12 2507:13 2509:22 25164:15 25164:15		· · · · · · · · · · · · · · · · · · ·			
give 25013:4 25014:23 25130:22 25131:4.10 handwriting 25093:13 he'll 25038:25 ilicity 25117:24 25020:2 25028:68 25131:15 25141:15 25034:3.17 25041:23 25142:15, 625143:19 25003:19 25107:14 25006:1.25008:12 25100:14 25107:6 25048:13 25045:3 25149:15 251519:12 25156:18 25159:12 25126:12313:16 25106:14 25107:6 IMG0961.JPG 25066:15,16 25161:69 25166:13 25167:14 25123:16 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 25108:12 2506:13.21 1MG0962.JPG 25104:12 25017:10 25044:3 25048:11,12 25164:15 25164:15 25167:23 25074:19 25003:21 25152:20 25153:9 25168:12 25162:19 25152:19 25162:19 25152:19 25152:18 2516 25162:19 25152:19 25162:14 25162:19 25162:12 25162:18 25162:19 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162:12 25162					
25020:2 25028:6.8 25131:15 25141:15 bappen 25021:16 be* 25047:11.22 image 25023:01 25044:12 25044:12 25142:15,6 25143:19 25128:12 25002:19 25107:24 25066:13 25076:19 25098:12 IMG0961.2905 25044:17 25056:14 251512:24 251528:13 25107:14 25104:16 25107:14 25107:16 251037:17 25135:4 25009:12 25066:14 25076:20 25167:55 25166:13 25147:11,12,13 hidde 25073:9 1060962 25096 25060:14 25076:20 25167:55 25168:3 25147:11,21,21 hidde 25073:9 25005:12 25107:12 25177:12 25038:12,72 5033:4 25009:12 25167:5, 25168:3 25147:11,22,13,15 25147:12 2517:12 25038:12,72 5033:4 250749 25082:13 immediacy 2507 25167:23 25070:13 25119:8 25146:13 25160:21 25139:19,20 25152:18 2516 25013:12 25013:12 25013:12 25013:12 25009:12 bigher 25002:19 25152:18 2516 25012:12 25013:12 25013:13 25109:12 25009:12 25074:12 25075:4,89 25074:21 25075:4,89 25014:12 25013:16 Goverament 25108:16 25009:12 25074:21 25075:4,89 25074:21 250	8				
25034:3.17 25041:12 25142:12, 56 25143:19 25032:19 25127:4 25063:19 25096:12 1magine 25034:12 25044:13 25045:3 25149:17 25150:16 1magene 25071:14 25103:12 25100:14 25107:6 25096:12 25100:14 25107:6 25066:15.16 25151:18 25159:12 25161:69 25166:13 25161:69 25166:13 25162:1231:16 bid 25152:17 1MG0962.25096 25066:14 25076:20 25161:69 25166:13 25142:13,15 hid 25152:17 1MG0962.25096 25046:12 2517:10 25038:12,17 25033:1 25142:13,15 hid 25152:10 2503:12 25098:22 25147:20 2515:15 25044:3 25048:11,12 25118:17 25139:12 25139:19.20 25152:18 25162:132 25012:12 25013:12 25014:13 25109:21 25108:12 25108:21 25163:16 mmediace 2509 25013:12 25013:12 25013:12 25008:13 papper 25009:17 harboured 25009:19 hindered 2508:14 25074:3 2507:16 25028:22 25013:12 25013:12 25008:14 25008:14 2020:20 25068:14 2020:20 25074:12 25075:48 25074:12 25075:48 25074:12 25075:48 25074:12 25075:48 25074:12 25075:48 25008:14 22 25008:17 25088:14 25016:17					
25042:14 25044:12 25149:17 25150:16 25179:17 25157:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:16 25009:14 25107:66 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:14 25107:12 25107:13 25107:12 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 2507:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:13 25107:12 25107:13 25107:12 25107:13 25107:12 25107:13 25009:19 harboure 25009:19 harboure 25009:19 harboure 25009:19 harboure 25009:19 1001drg 25017:13 25074:12 25075:4,8,9 25017:12 2502:12 2502:12 2502:12 25007:13 25007:12 25007:13 25007:12 25007:12 25077:14 25075:4,8,9 25077:12 25077:4,8,9 25077:12 25077:4,8,9 25077:12 25077:4,8,9 25077:12 25077:4,8,9 25077:12 25077:4,8,9 25007:12 25077:12 25077:4,8,9 25003:12 25077:4,2,2 2	,				
25044:13 25045:3 25149:17 2515:16 happened 25077:14 25100:14 25107:6 IMG0961.1PG 25056:15,16 25151:24 25152:8,13 25107:12 2513:12 25133:7 25135:4 25039:18 2509 25086:16 25087:9,10 25167:15 25168:3 25147:11,12,13 hid 25152:9 IMG0962,2509 25104:21 25117:10 good 25005:19 25164:3 25147:11,12,13 hid 2515:9 IMG0963,JPG 25 25167:23 25043:1 25048:11,12 25148:12 25118:18 2507:13,21 IMG0961,JPG 25 25167:23 25046:1 25048:1,12 25118:18 2519:13 2515:15:9 immediate 2507 25012:12 25013:12 gotten 2516:5:5 happens 25126:3 high 25019:10 2504:4:2 2506:4:1 25013:12 25013:12 25164:15 happy 25046:1 happe 32009:17 harboured 25009:19 2504:3:2 507:3:2 507:3:2 507:3:1 2507:4:8,9 25023:2 25013:13 granted 25009:11 parbours 2009:17 hold 25141:18 2507:15 2512 25047:3 25065:21 granted 25009:11 harbours 2009:17 hold 25141:18 2507:13 2507:4,8,9 25047:3 25065:21 granted 25009:11 25008:14,20 25009:4 <td>-</td> <td></td> <td></td> <td></td> <td>IMG0961 25095:6</td>	-				IMG0961 25095:6
25048:17 25056:14 25151:24 25152:8,13 25107:14 2512:12 25137:21 25168:2 IMG0962.25096 25056:15,16 25155:18 25159:12 25126:1 25131:16 25168:2 IMG0962.270 25086:14 25076:20 25167:5,5 25168:3 25147:11,12,13 Iidden52073:9 25095:12 25104:21 2517:10 25038:12,17 25043:4 happening 25113:18 25107:13 22075:13 25076:13 25119:8 IMG0962.JPG 25 25147:20 25155:15 25044:3 25048:11,12 25118:17 25167:23 25107:10 immediace 2500 25012:12 25013:12 25166:13 25166:13 bappen 25126:3 highe 25005:4 25152:18 2516 25014:12 25103:12 25164:15 happen 25009:17 hindered 2508:14 25077:13 25008:2 25014:12 25013:4 2503:17 government 25108:8 harbourd 25009:19 25004:12 25075:4,89 25071:13 25006:14 25077:13 25071:13 25077:15 2512 25032:2 25008:12 granted 25009:11 25009:9:2 25017:13 25074:12 25075:4,89 25077:13 25075:4,89 25071:12 25075:4,89 25075:17 implicated 2501-11 25008:12 25014:12 25017:22 <					
25060:14 25076:20 25161:6.9 25166:13 25142:13,15 hid 25152:17 IMC0962.JPG 25080:16 25087:9,10 25167:5.5 25168:3 25147:11,12,13 hid 25152:17 IMC963.JPG 25 25104:21 2517:10 25038:12,17 25034:4 happening 25113:18 25074:9 25082:13 immediacy 2507 25107:23 25070:13 2519:8 happening 25126:3 high 25012:19 25013:2 25167:23 25012:12 25013:12 gotten 25164:15 happening 25126:3 high 25002:19 2503:2 25132:18 2516 25012:12 25013:12 gotten 25164:15 happening 25006:17 high 25002:19 2503:21 25074:12 25074 25013:12 25023:13 government 25108:8 grant 25007:12 25007:21,25 25008:2 25075:11 2509:7 immediace 2507 25047:3 25065:21 25014:13 granted 25009:11 25008:14,20 25009:11 25077:12 25068:16 25075:11 2509:25 25075:11 2509:25 25075:11 2509:25 25075:11 2509:24 implied 25012:25 25047:3 25065:21 granted 2500:11 25089:12 25089:21 25089:21 25075:12 25075:4,89 25007:12 2508:12 25075:11 2509:24 implied 25012:25 25075:11 2509:25 25075:11					25093:18 25094:3
25081:6 25087:9,10 25167:5.5 25168:3 25147:11,12,13 hidden 25073:9 25095:22 25107:22 5517:21 25038:12,17 25043:1 25143:12 25147:11,12,13 hidden 25073:9 IMG963.JPG 25 25147:20 25155:15 25044:3 25048:11,12 2518:17 25197:21 25074:9 25028:13 25164:24 25012:12 25013:12 25146:13 25160:21 happening 25113:18 25152:20 25153:9 immediact 2502 25012:12 25013:12 25164:15 happen 25066:11 higher 25005:4 immediact 2502 25013:12 25013:16 Gotz 25013:4 25033:16 Gotz 25013:4 25032:6 25007:12,525008:2 25077:15 2512 25023:2 25028:1 grant 25009:11 25009:12 25007:12 5005:7 25007:12 5005:7 25033:2 4 25041:12 25071:12 25005:7 25007:12 25009:7 25047:21 25075:4,8,9 25074:12 25059:7 25047:3 25065:21 25014 25029:6 25008:14,15 25162:9,12,16,21 25063:12 25077:22 5508:12 grant 25007:14,22 25068:16 hapter 25057:11 25063:12 25074:12 25054:17 granting 25068:12 2518:16 25161:6 2503:12 250	25056:15,16		25126:1 25131:16	25168:2	IMG0962 25096:10
25104:21 25117:10 25127: 25137:21 25147:20 25155:15 25167:23 good 25005:19 25038:12_17 25043:4 25038:12_17 25043:4 25048:11_12 biding 25067:13_21 25074:9 25082:13 25152:10 25153:15 25074:9 25082:13 25152:10 25153:15 25152:10 25153:16 25103:22 25013:12 25104:12 25013:12 25013:22 25014:12 25013:22 25014:12 25032:32 25033:13 25023:12 25017:13 25023:24 25041:25 25073:32 425041:25 25074:3 25005:21 25013:24 25023:21 25073:32 25033:13 25023:14 25033:24 25074:3 25065:21 25013:24 25041:25 25074:3 25065:21 25013:24 25041:25 25075:12 25075:14 25014:25 25075:12 25065:21 25016:45 25021:22 25075:12 25066:3 25067:14 25163:16 25021:22 25075:12 25066:3 25067:14 25163:16 25163:16 25021:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25066:15 25075:22 25075:12 25175:15 25154:13 25163:16 25061:12 25175:15 25154:13 25163:13 25085:12 25075:12 25087:9 25075:22 25079:13 25064:4 25075:22 25075:2 25057:22 25075:2 25057:22 25075:2 25057:22 25078:6 25057:22 25078:6 250057:22 25078:6 250057:22 25078:6 250057:22 25078:6 250057:22 25078:6 250057:22 25078:6 250057:22 25078:7 250057:22 25078:6 250057:22 25078:6 250057:22 25078:7 250057:22 25078:6 250057:22 25078:7 250057:22 25078:7 250057:12 2	25060:14 25076:20	25161:6,9 25166:13	25142:13,15	hid 25152:17	IMG0962.JPG
25127: 7 25137:21 25038:12,17 25043:4 happening 25113:18 25074:9 25082:13 immediacy 2507 25167:23 25044:3 25048:11,12 2518:17 2518:22 025153:9 high 25013:12 2518:218 2516 given 25007:13 25146:13 25160:21 2519:13 2519:22 02515:12 25139:19,20 2516:23 25012:12 25013:12 gotten 25164:15 happotend 25009:17 harbours 25009:17 harbours 25009:17 bidge 2505:4 25074:9 2508:4 25164:5,23 25013:2 25013:12 gotten 25164:15 happotend 25009:17 harbours 25009:17 bidde 25141:18 25077:15 2512 25074:9 2508:4 25074:9 2508:4 25074:52 2506:4 25013:2 2502:21 grant 25108:18 grant 25008:17 25009:12 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25074:12 25077:15 2512 25066:17 impote 2502:14,17 25074:12 25077:15 2512 25066:17 25017:1 2508:14 <td>25081:6 25087:9,10</td> <td>25167:5,5 25168:3</td> <td>25147:11,12,13</td> <td>hidden 25073:9</td> <td>25095:22</td>	25081:6 25087:9,10	25167:5,5 25168:3	25147:11,12,13	hidden 25073:9	25095:22
25147:20 25155:15 25044:3 25048:11,12 25118:17 25152:20 25153:9 immediate 2502 25012:12 25013:12 25070:13 25119:8 25146:13 25160:21 appens 25126:3 25139:19,20 25153:9 immediate 2502 25014:12 25013:12 25165:5 25155:5 bigher 25009:19 as509:19 2503:22 2503:21 25074:32 2507 25044:3 2508:14 25074:32 2507 25054:22 2506 25054:22 2506 25014:15 25015:16 government 25108:8 grant 25017:21 25007:12,25 25008:1 25007:12 25075:4,8,9 25074:21 25075:4,8,9 25024:14,17 25074:21 25075:4,8,9 25024:14,17 25024:14,17 25074:21 25075:4,8,9 25024:14,17 25074:21 25075:4,8,9 25024:14,17 25074:21 25075:4,8,9 25024:14,17 25074:21 25075:4,8,9 25024:14,17 25074:12 25075:4,8,9 25024:14,17 25024:14,17 25074:12 25075:4,8,9 25024:14,17 25074:12 25075:4,8,9 25024:14,17 25074:12 25075:4,8,9 25024:14,17 25064:16 25105:12 implied 25012:2 25074:12 25075:4,8,9 25024:14,17 25064:16 25105:12 25066:17 25067:12 25074:14,17 25166:15 25163:13 25066:17	25104:21 25117:10	good 25005:19	25164:24	hiding 25067:13,21	IMG963.JPG 25096:5
25167:23 25070:13 25119:8 happens 25126:3 high 25012:19 25013:2 25152:18 2516 25012:12 25013:12 25164:13 25160:21 25139:19,20 25164:15,23 25013:12 25014:12 25165:5 hapbourg 25009:19 higher 25005:4 immediately 250 25014:15 25015:16 Gotz 25013:4 25033:17 harboure 25009:19 higher 25005:4 immediately 250 25025:2 25028:1 grant 25017:21 25007:21,25 25008:2 25165:16 impact 25029:9 25035:2 425041:25 granted 25009:11 25009:9,22 25017:13 25075:4,8,9 25074:3 25065:21 25041:3 25065:21 25014:3 25006:8 Harmse 25068:16 25163:16 importance 250 25089:18 25104:10 granting 25006:8 Harmse 25068:16 25164:21 importance 250 25041:3 25047:42 25089:21 holds 25165:16 25006:12 25068:3 25069:11 25008:12 25068:3 25069:11 25003:12 2503:12 25014:12 25003:12 2503:12 25004:12 25003:12 2503:12 25003:12 2503:12 25013:12 2503:12 25013:12 2503:12 25013:12 25153:10 25137:15 25154:13 2518:18 holds 25165:16			happening 25113:18	25074:9 25082:13	immediacy 25074:8
given 25007:13 25146:13 25160:21 25129:13 25139:19,20 25164:5,23 25013:22 25014:12 25164:55 happy 25046:11 higher 25005:4 immediately 250 25013:22 25014:15 Gotz 25013:4 25033:17 government 25108:8 grant 25107:21 25063:22 2508:1 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:352008:2 25077:35211 25002:414.17 25007:21,2525008:2 25077:31 25077:35,211 25002:414.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25024:14.17 25026:17 2506:17 25162:12 25066:16 25163:23,25 25164:6 25010:12 2008:21 25033:13 25164:21 importance 2504 25031:12 2503:12 25033:12 25033:13 25164:11 25008:22 <td></td> <td></td> <td></td> <td></td> <td>immediate 25021:15,21</td>					immediate 25021:15,21
25012:12 25013:12 25013:22 25014:12 gotten 25164:15 25163:5 happy 25046:1 harboured 25009:19 barboured 25009:17 barboured 25009:12 25077:3 25065:21 25077:3 25065:21 25077:3 25065:21 25077:3 25065:21 25017:12 25009:92 25017:13 25074:21 25074:12 25074:12 25074:12 25074:12 25074:12 25074:12 25074:12 25074:12 25074:12 25074:12 25074:13 25074:12 25074:10 25074:12 25074:12 25074:12 25074:13 25074:12 25074:12 25074:13 25074:12 25074:12 25074:13 25074:12 25074:13 25074:12 25074:13 25074:12 25074:13 25174:12 25074:13 25074:12 25074:13 25174:12 25074:13 25074:12 25074:13 25184:15 2512 25074:13 25184:15 2512 25074:13 25184:15 2512 25075:12 25077:19 25075:12 25077:19 25075:12 25077:19 25075:12 25075:20 25075:12 25075:19 25075:12 25075:19 25075:12 25075:19 25075:12 25075:10 25075:12 25075:10 25075:25099:1 25075:25099:1 25075:25099:1 25075:25099:1 25075:25099:1					25152:18 25162:23
25013:22 25014:12 25165:5 harboured 25009:19 25009:8 25030:21 25054:22 2506 25018:24 25020:20 government 25108:8 grant 25017:12 25005:12 25005:12 25073:13 25073:12 25077:15 2512 25035:24 25041:25 grant 25009:11 25009:9,22 25017:13 25075:12 25075:14,20 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:14,21 25075:11 25065:17 importance 2504 25006:16 25165:16 importance 2504 25005:17 importance 2504 25005:17 importance 2504:25 25056:17 importance 2504:25 25056:17 importance 2504:25 25056:17 importance 2504:25 25005:17 importance 2504:25:08:19 25005:17 importance 2504:25:08:16 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:15 25016:16 1mpore 250201:12 25016:16 1mpore					
25014:15 25015:16 25018:24 25020:20 25023:12 25028:1 25032:3 25033:13 25033:13 25033:13 25033:19 25029:6 25033:19 25029:6 25033:19 25029:6 25033:19 25029:6 25033:19 25029:6 25074:21 25075:14,20 25099;22 25017:13 25007:15 2512 25009;9,22 25017:13 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:21 25075:4,8,9 25074:12 25075:4,20 25089:18 25104:10 25118:11 25143:7 25105:6 grass 25067:14,22 25076:12 25076:14,22 25076:12 25176:15 group 25015:10 25166:15 group 25153:10 25160:9 group 25153:10 25160:9 group 25153:10 25160:9 group 25153:10 25160:9 group 25153:10 25160:9 group 25153:10 25006:4,20 25009:4,5 25006:4,20 25009:1,7 25006:4,20 25009:4,5 25006:4,20 25009:4,5 25006:4,20 25009:4,5 25006:4,20 25005:1,5 25006:4,20 25005:2,5 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:2 25005:1 25005:1,22019 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 2510:19 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 hostile 25105:10 ho				0	immediately 25033:7
25018:24 2502:20 25025:2 25028:1 25032:3 25033:13government 25108:8 grant 25017:21 25003:24 25041:25 25007:12 25029:12harm 25006:17 25009:14 25009:11 25009:12 25029:12 25007:13 25029:12 25077:3,6,11 25089:9 25077:3,6,11 25089:9 25077:3,6,11 25089:9 25089:18 25104:10 25118:11 25143:7 25165:6harm 25006:17 25089:18 25104:10 25017:22 25077:3,6,11 25089:9 25017:12 25078:13harm 25006:17 25075:12 25029:23 25075:13 25029:25 25075:11 25096:24 25162:9,12,16,21hold g 25141:18 25074:12 25075:12 25162:9,12,16,2125074:21 25074:21 25074:21 25074:21 25074:21 importance 2504 25089:18 25104:10 25077:12 22harm 25068:16 25163:13 25078:14 25088:14,15 25089:21 25088:12 25088:12 25137:15 25154:13 25160:12 25160:15harm 25006:82 25075:12 25089:11 25088:14,15 25088:14,15 25088:14,15 25137:15 25154:13 25160:9 25160:9 25160:9 25160:9harm 25006:16 25006:420 25009:45 25007:22 25006:2 25007:22 25006:2 25007:22 25007:13 25007:22 25007:13harm 25006:17 25007:22 25007:13 25007:22 25007:13 25007:22 25007:13hold 25141:18 25007:13 25007:13 25007:13 25007:22 25079:13 25007:22 25079:13harm 25008:14 25007:13 25008:12 25111 10000022007:13 25008:12 251111 10000022007:13 25008:12,22 25007:14 25007:12 25008:22,25 25006:2 25007:12 25008:12 25007:12 25008:12 25007:12 25008:12 25007:12 25008:12 25007:12 25008:16 25007:12 25008:16 					25054:22 25060:25
25025:2 25028:1 25032:3 25033:13 25032:3 25033:13 25032:3 25033:13 25032:3 25033:13 25032:3 25033:13grant 25017:21 25009:11 25009:12 25009:12 25017:12 25009:11 25017:12 25029:25 25077:3,6,11 25089:9 25041:325007:21,25 25009:21 25077:13 25077:1325074:21 25075:4,8,9 25074:12 25075:14,20 25009:12 25075:11 25029:25 25075:11 25029:25 25075:11 25099:92 25075:11 25089:19 25165:6implet 25012:29 implicated 25012 implet 25012:22 25073:1325089:18 25104:10 25165:6granting 25006:8 25075:14,22 25074:10Harmse 25068:16 25089:11 25089:11 25089:12 25068:3 25069:11 25074:10Harmse 25068:16 25089:12 25089:12 25089:12 25074:1025089:12 25089:12 25073:13Didds 25165:16 25165:1625010:125018 25009:12 25085:12 25163:13 hore 25079:1325030:8 25007:14,22 25085:12 25085:12 25160:12 25160:12 25160:12 25160:12 25160:121000000000000000000000000000000000000					
25032:3 25033:13 25033:24 25041:25 25047:3 25065:21 25010:4 25023:2425023:19 25029:6 25010:4 25023:24 25017:15 25029:25 25077:3,6,11 25085:21 25077:3,6,11 25089:9 25041:3 25081:18 25104:10 2518:11 25143:7 25017:22 25165:625010:4 25023:24 25017:12 25017:22 25073:13holding 25059:7 25068:16 25163:23,25 25164:6 25163:23,25 25164:6 25163:23,25 25164:6 25163:23,25 25164:6implicated 25014 25029:25 25073:13implicated 25014 25073:1325089:18 25104:10 25165:6grass 25067:14,22 25068:3 25069:1125088:14,15 25088:14,1525164:21 100 25088:14,15importance 2504 25163:13 2503:19 25163:16importance 2504 2503:19 25163:13 2503:19 25163:132502:23 25041:2 25079:4 25105:12 25166:15ground 25015:10 25173:15 25154:13 25173:15 25154:13 25160:9 25160:9 25163:12 25163:13haven't 25015:23 2503:12 2508:5 25087:9 25063:12 2508:52 25087:9holdiay 25042:8,11 25038:12 2508:5 25087:9 2508:5 25087:9giving 25033:11 25148:5groung 25153:10 25160:9 25160:9 25160:9 25148:52517:12 25160:12 25160:9 25051:17 25058:12 25067:22 25006:22506:32 2506:2 2500:23 2506:22 25006:2100009:4,5 25006:4,20 25009:4,5hope 2502:4 25163:13 hope 2502:4 2505:22 <br< td=""><td></td><td></td><td></td><td></td><td></td></br<>					
25035:24 25041:25 25047:3 25065:21 25077:3,6,11 25089:9 25081:1 25143:7 25017:12granted 25009:11 25017:22 25017:13 25077:13 25077:13 25077:21 25075:14,8,9 25077:13 25075:11 25096:24 25075:11 25096:24 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25162:9,12,16,21 25077:13 25077:12 25075:14,22 25089:12 25089:14,15 25020:23 25041:2 25020:23 25041:2 25020:23 25041:2 25020:23 25041:2 25165:15 25167:1425009:14,22 25067:14,22 25067:14,22 25089:11 25033:10 25165:16 125172:15 25154:13 25167:12 25167:1225009:25087:9 25165:16 125172:15 25154:13 25137:15 25154:13 25137:15 25154:13 25167:12 25167:12 25167:12 25167:12 25167:12 25167:12 25167:12 25167:12 25167:12 25005:22,25 25006:2 25005:22,25 25006:2 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20,2502:13,15 25052.13 25005:20					
25047:3 25065:21 25077:3,6,11 25089:925010:4 25023:24 25041:325017:15 25029:25 25073:1325075:11 25096:24 25162:9,12,16,21implied 25012:24 importance 2504 25063:1625089:18 25104:10 25165:6granting 25006:8 25067:14,22Harmse 25068:16 25089:2125163:23,25 25164:6 			· · · · · · · · · · · · · · · · · · ·		
25077:3,6,11 25089:9 25089:18 25104:10 25165:625041:3 granting 25006:8 25017:22 grass 25067:14,22 25068:3 25069:11 25068:3 25069:11 25023 25041:2 25020:23 25041:2 25074:1025074:10 25074:10 25074:1025074:10 25074:10 25073:1325023:19 25163:13 haven't 25015:23 2503:19 25163:13 holds 25165:16importance 2504 25163:23 25089:21 holds 25165:16 bolds 25165:16giving 25033:11 25079:4 25100:12 25148:5 go 25018:25 25019:23 go 25018:25 25019:23 go 25018:25 25019:23 guaranteed 25014:16 25018:25 25019:23 guaranteed 25014:16 25018:25 25019:23 guaranteed 25014:16 25018:25 25019:23 guaranteed 25014:16 25018:25 25019:23 guaranteed 25014:16 25018:25 25019:23 guaranteed 25018:17 25054:17 25054:17 25054:17 25054:17 25057:19 25057:22 25058:6 25057:22 25058:6 25067:22 25058:625011:2 25046:4 25001:22 25009:45 25001:22 25009:45 25001:12 25001:12 25001:12 25005:22.25 25009:45 25001:12 25051:17 25054:17 25051:17 25054:17 25051:10 25153:7 25061:20 25009:45 25001:12 25001:22 25020:20 2502:15 25051:20 2505:2 25051:20 25052:15 25051:20 25052:15 25051:20 25052:15 1005112 25151:9 1005112 25053:12 25051:10 25052:15 25087:9 25026:10 2507:13 25026:13 25152:20 25026:611 25026:13 25022:20 25026:611 25026:13 25022:15 25087:9 25026:11 25026:13 25022:12 25026:611 25026:13 25022:15 25087:9 2501:20 25032:10 25052:11 25026:13 25022:12 25042:11 25025:12 10 25025:12 10 25025:12 10 25025:12 10 25025:12 10 25025:13:9 25025:13:9 25025:12 10 25025:13		8	-		
25089:18 25104:10 25118:11 25143:7 25165:6granting 25006:8 25017:22 grass 25067:14,22Harmse 25068:16 hasn't 25088:14,1525163:23,25 25164:6 25164:2125056:17 important 25009gives 25019:13, 25004:7,8,12 25042:7,8,1225068:3 25069:11 25074:1025032:19 25163:13 25074:10holiday 25042:8,11 25023:19 25163:1325038:25032 25032:19 25163:13 home 25079:1325038:25032 25042:7,8,12 25166:1525074:10 25074:1025032:19 25163:13 25074:10holiday 25042:8,11 25033:12 25033:12 25137:15 25154:1325032:19 25163:13 25153:10holiday 25042:8,11 25033:12 25165:1125038:25032 25033:12 25160:9giving 25033:11 25079:4 25100:12 25147:16group 25153:10 25160:9 guaranteed 25014:16 25017:12 25147:1625153:18 25156:11 25160:9 guaranteed 25014:16 25005:22,25 25006:2honesty 25158:25 25087:5,6 25087:5,6impossible 2508 25081:13 25122:141 25160:5go 25018:25 25019:23 25051:17 25054:17 25054:17 25057:19 25057:22 25058:6guaranteed 25014:16 guaranteed 25014:16 25001:19:251 25005:12,252006:22506:4,20 25009:4,5 25006:4,20 25009:4,5hospital 25051:3,7,11 25052:1,525128:24 imaccurate 2510 inadequate 250525057:22 25058:6 25057:22 25058:6gun 2513:7,13 25123:7,1325027:20 2502:6,611 25025:20 2502:6,611 25025:20 2502:6,611 25025:20 2505:21hostials 25063:7 hostials 25063:7 hostials 25063:7imadible 25007: 25059:11 25027:20 2502:19imadible 25007: 25027:20 2502:1925051:20 25059:11 25007:12 25103:19gunshots 25152:20 25027:20 2502:13,1925027:19 25027:20 2502:14host					
25118:11 25143:7 25165:625017:22 grass 25067:14,22hasn't 25088:14,15 25089:2125164:21important 25009 25089:21gives 25019:1,3 25020:23 25041:225068:3 25069:11 25074:1025089:21holds 25165:16 25032:19 25163:1325030:8 25032 25085:5 25087:925030:8 25032 25085:5 25087:9giving 25033:11 25079:4 25100:12group 25153:10 25160:925137:15 25154:13 25153:1825153:18 25156:11 25153:18 25156:1125140:25 25141:11 25140:25 25141:11impose 25031:22 25085:5 25087:9giving 25033:11 25079:4 25100:12 25169:12group 25153:10 25169:925137:15 25154:13 25153:1825153:18 25156:11 25153:1825140:25 25141:11 10ped 25087:5,6impose 25031:22 25081:15 2512giving 25033:11 2518:25group 25153:10 25171:1625153:18 2518:18 heading 25018:13 heading 25018:13 heads 25005:8,16,17,22 hopefully 25014:7impose 25031:22 25046:4giving 25032:17 25054:17 25051:17 25054:17 25057:22 25058:6guaranteed 25014:16 guar 25123:7,13 25123:7,1325006:4,20 25009:4,5 25001:19,22hopefully 25014:7 25051:20 25052:1,5 25085:525123:22 25141 25052:225052:10 2507:22 25058:6 25058:9gun shot 25153:7 25021:22 25027:8 25059:5gunshot 25153:7 25021:12 25026:6,11 25025:20 25026:6,1125001:2 25053:7 10stile 25151:9 10stile 25151:9imadequate 2507:20 2509:12 2509:1225096:2 25105:16 25096:2 25105:16 25096:2 25105:16gunshots 25152:20 25027:20 25033:1925027:20 25033:19 10stile 25151:9imadeplace 2507:20 2509:11 10stile 25151:925017:5 25019 10stile 25151:					-
25165:6 grass 25067:14,22 25089:21 holds 25165:16 25010:1 25018 gives 25019:1,3 25068:3 25069:11 25074:10 baven't 25015:23 holds 25165:16 25030:8 25032 25042:7,8,12 25079:4 25100:12 25137:15 25154:13 bead 25034:11 25042:2 25085:5 25087:9 impose 25031:22 25166:15 2517:15 25154:13 group 25153:10 25158:18 beade 25024:1,3 homesty 25158:25 impose 25020:2 25018:25 25019:23 grouping 25085:12 25147:16 25005:22,25 25006:2 25046:4 impression 2508 25051:17 25054:17 25120:1 25101:1 25018:2,12 25005:22,25 25009:4,5 bope 25031:2,2 2514:13 bope 25087:5,6 25128:24 imaccurate 2510 25051:17 25054:17 25120:1 25005:22,25 25009:4,5 bospital 25051:3,7,11 25128:24 imaccurate 2510 25057:22 25058:6 gu 25123:7,13 25021:2 25019:2 25051:20 25052:1,5 imaccurate 2510 imadequate 2505 25065:2 25087:9 25154:8 25027:12 02502:6,6,11 25025:20 25055:2 25059:5 imaccurate 2510 25095:5 25087:9 25154:8 25027:12 02503:19 bostita 25057:19 25099:5		8 8			
gives 25019:1,3 25020:23 25041:2 25042:7,8,12 25166:1525068:3 25069:11 25074:10haven't 25015:23 25074:10holiday 25042:8,11 15202:19 25163:13 25023:19 25163:13 25153:1025023:19 25163:13 25153:18 25156:11holiday 25042:8,11 25085:5 25087:925030:8 25032 25085:5 25087:9giving 25033:11 25079:4 25100:12 25148:5group 25153:10 25160:925153:18 25156:11 25158:1825085:5 25087:9 25140:25 25141:11impose 25021:22 25140:25 25141:11glasses 25157:21 go 25018:25 25019:23 25021:22 25027:8 25051:17 25054:17 25054:17 25054:17 25055:22 2508:6group 25108:12 25120:1 25120:1heading 25018:13 25006:4,20 25009:4,5hoped 25087:5,6 2506:4,20 25009:4,525123:2 25141 25160:525052:10 25052:15 25062:10 25079:13 25057:22 25058:6guaranteed 25014:16 guards 25119:15,1625006:4,20 25009:4,5 25006:4,20 25009:4,5hospital 25051:3,7,11 25025:12,0 25052:1,525123:2 2514 25051:20 25052:1,525062:10 25079:13 25062:10 25079:13 25062:10 25079:13 25062:22 25105:16gunshots 25153:7 25021:7 25024:12,16 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25092:13,24 25093:2hospital 25063:7 hospital 25063:725096:2 25105:16 25096:2 25105:16 25096:2 25105:16gunshots 25152:20 25025:20 25026:18 25027:19 25027:20 25033:19 hosting 25059:11 hour 25041:12 25083:825026:13,23					
25020:23 25041:2 25074:10 25023:19 25163:13 home 25079:13 25043:15 2511 25042:7,8,12 ground 25015:10 25137:15 25154:13 group 25153:10 25148:5 25160:9 25160:9 25160:9 25160:9 25163:13 homesty 25158:25 imposed 25029:13 25079:4 25100:12 25160:9 25160:9 25148:5 grouping 25085:12 25147:16 beaded 25124:1,3 hope 25020:4 25163:13 25081:15 2512 glasses 25157:21 25147:16 guaranteed 25014:16 25005:22,25 25009:23 25005:22,25 25009:4,5 bope 25087:5,6 25123:2 25141 25051:17 25054:17 25120:1 25120:1 25009:16 25011:9,22 25051:20 25052:1,5 impression 2508 25057:22 25058:6 guards 25119:15,16 25009:16 25011:9,22 25051:20 25052:1,5 imaccurate 2510 25057:22 25058:6 guards 25133:7 25021:22 2502:13,15 25055:2 25059:5 25062:10 25079:13 gushots 25152:20 25026:18 25027:19 bostial 25063:7 imacquate 2505 25092:13,24 25093:2 gunshots 25152:20 25026:18 25027:19 bostial 25059:11 25091:20 250992:13,24 25093:2 gunshots 25153:9 25027:20 25033:19 <td></td> <td></td> <td></td> <td></td> <td></td>					
25042:7,8,12 25166:15ground 25015:10 25137:15 25154:13 group 25153:10head 25034:11 25042:2 25153:18 25156:1125085:5 25087:9 25140:25 25141:11 impose 25020:4 25163:13 hope 25087:5,6 25018:25 25019:23 25018:25 25019:23 25018:25 25019:23 25018:25 25019:23 25051:17 25054:17 25051:17 25054:17 250551:17 25054:17 250551:20 25052:13,15 25053:2 250551:20 25052:13,15 25053:2 250551:20 250551:20 250551 250551:20 25052:13,15 25053:2 250551:20 250552 250551:20 25052:13,15 25053:2 250551:20 25052:13,15 25053:2 250551:20 250552 250551:20 250552 250551:20 250552 250551:20 250552:13,15 25053:2 250551:20 250552:13,15 25053:2 250551:20 25052:13,15 25053:2 250551:20 25052:14 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25025:11 25017:5 25019 25017:5 25019 25017:5 25019 25017:5 25019 25017:5 25019 	0				25043:15 25119:11
25166:1525137:15 25154:1325153:18 25156:1125140:25 25141:11imposed 25029:1giving 25033:11group 25153:1025160:9headed 25124:1,3honesty 25158:25imposed 2508025148:5grouping 25085:1225147:16heading 25018:13hope 25020:4 25163:1325123:2 25141glasses 25157:21guaranteed 25014:1625005:22,25 25006:225046:4impression 2508go 25018:25 25019:23guaranteed 25014:1625006:4,20 25009:4,525046:4impression 250825051:17 25054:1725120:125109:16 25011:9,2225051:20 25052:1,5inaccurate 251025057:22 25058:6gun 25123:7,1325018:21,22 25019:225025:225055:2isogtal 2505:225062:10 25079:13gunshot 25153:725021:7 25024:12,1625025:20 25026:6,1125091:2025091:2025092:13,24 25093:2gunshots 25152:2025026:18 25027:1925027:20 25033:19hostig 25059:1125017:5 2501925117:17 25118:1,1mandible 25007:25027:20 25033:19hostig 25059:1125017:5 2501925117:17 25118:1,1mandible 25007:25026:13,2325026:13,23					
giving 25033:11 25079:4 25100:12 25148:5group 25153:10 25160:9 grouping 25085:12 25147:1625158:18 headed 25124:1,3 heading 25018:13 heads 25005:8,16,17,22 25005:22,25 25006:2 25005:22,25 25006:4honesty 25158:25 hope 25020:4 25163:13 hoped 25087:5,6 25046:4impossible 25080 25018:25 25019:23 25105:17 25054:17 25051:17 25054:17 25057:22 25058:6impossible 25080 25117:17 25018:8 gun 25123:7,1325051:17 25054:17 25062:10 25079:13 25092:13,24 25093:2 25096:2 25105:16 25096:2 25105:16group 25153:7 25021:72 25032:7 gunshots 25152:2025018:21,22 25019:2 25026:18 25027:19 25026:18 25027:1925025:20 25032:7 25026:60,11 25022:720 25033:19 hosting 25059:11impossible 25080 25017:19 25018:2,12 25025:20 25026:6,11 25022:12 25059:11 hosting 25059:11giving 25083:10 25092:13,24 25093:2 25096:2 25105:16 25117:17 25118:1,1group 25153:70 25027:20 25033:19 hear 25032:7 25044:1825120:19 hosting 25059:11 hour 25041:12 25083:8giving 2507:22 25083:8 25026:13,23gunshots 25152:20 25027:20 25033:19 hear 25032:7 25044:18honesty 25153:7 25024:12 25083:825026:13,23					
25079:4 25100:12 25148:5 glasses 25157:21 go 25018:25 25019:23 25021:22 25027:8 25051:17 25054:17 250551:17 25054:17 250551:20 2507:22 25058:6Leaded 25124:1,3 heading 25018:13 heads 25005:8,16,17,22 25005:22,25 25006:2 25006:4,20 25009:4,5 25009:16 25011:9,22 25009:16 25011:9,22 25005:120 25052:13,15 25053:2 25057:22 25058:6hope 25020:4 25163:13 25123:2 25141 25120:1 guide 25018:8 25009:16 25011:9,22 25009:16 25011:9,22 25009:16 25011:9,22 25057:22 25058:6hope 25020:4 25163:13 25005:22,25 25006:2 25006:4,20 25009:4,5 25009:16 25011:9,22 25005:120 25052:1,5hope 25020:4 25163:13 25006:4,20 25009:4,5 25009:16 25011:9,22 25009:16 25011:9,22 25007:19 25018:2,12 25005:2,25 25008:9hope 25020:4 25163:13 25046:4 hospital 25051:3,7,11 25025:120 25052:1,5hope 25020:4 25163:13 25046:4 hospital 25051:3,7,11 25025:120 25052:1,5hope 25020:4 25163:13 25046:4 hospital 25051:3,7,11 25055:2impression 2508 25052:1,525057:22 25058:6 25062:10 25079:13 25092:13,24 25093:2gunshot 25153:7 2514:8 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25026:6,11 25025:20 25033:19 hostig 25059:11 hour 25041:12 25083:825081:15 2512 25083:8 25026:13,23					impossible 25080:17
25148:5 glasses 25157:21 go 25018:25 25019:23 25021:22 25027:8grouping 25085:12 25147:16heading 25018:13 heads 25005:8,16,17,22 25005:22,25 25006:2 25006:4,20 25009:4,5hoped 25087:5,6 hopefully 25014:7 25046:425123:2 25141 25160:525021:22 25027:8 25051:17 25054:17 25054:17 25057:19guaranteed 25014:16 guards 25119:15,16beads 25005:22,25 25006:2 25006:4,20 25009:4,5bospital 25051:3,7,11 25009:16 25011:9,2225046:4 hospital 25051:3,7,11impression 2508 25051:20 25052:1,525054:17 25057:19 25057:22 25058:6guide 25018:8 gun 25123:7,1325017:19 25018:2,12 25021:7 25024:12,1625055:2 25055:225059:5 25059:525062:10 25079:13 25092:13,24 25093:2gunshot 25153:7 25154:825025:20 25026:6,11 25026:18 25027:19hospital 25051:19 25026:18 25027:19inadequate 2507 25026:18 25027:19 bostile 25151:925096:2 25105:16 25117:17 25118:1,1gunshots 25152:2025027:20 25033:19 hour 25041:12 25083:8bosting 25059:11 25026:13,23	8 8				25081:15 25122:2,3
glasses 25157:2125147:16heads 25005:8,16,17,22hopefully 25014:725160:5go 25018:25 25019:23guaranteed 25014:16guards 25119:15,1625005:22,25 25006:225046:4impression 250825051:17 25054:1725120:125109:16 25011:9,2225051:20 25052:1,5inaccurate 251025057:22 25058:6gun 25123:7,1325018:21,22 25019:225055:225055:225062:10 25079:13gunshot 25153:725021:7 25024:12,1625025:20 25026:6,11hospital 25063:725092:13,24 25093:2gunshots 25152:2025026:18 25027:19hostile 25151:9inaddible 25007:20 2509:1125096:2 25105:16guys 25153:925027:20 25033:19hosting 25059:1125017:5 2501925117:17 25118:1,1guys 25153:925027:20 25032:7 25044:18howr 25041:12 25083:825026:13,23					25123:2 25141:7
go 25018:25 25019:23 25021:22 25027:8 25051:17 25054:17 25055:22 25058:6guaranteed 25014:16 guards 25119:15,1625005:22,25 25006:2 25006:4,20 25009:4,525046:4 hospital 25051:3,7,11 25051:20 25052:1,5impression 2508 25051:3,7,11 25051:20 25052:1,525054:17 25057:19 25057:22 25058:6guide 25018:8 gun 25123:7,1325017:19 25018:2,12 25017:19 25018:2,1225055:2 25052:13,15 25053:2imaccurate 2510 inadequate 250525062:10 25079:13 25092:13,24 25093:2gunshot 25153:7 25154:825025:20 25026:6,11 25026:18 25027:19hospitals 25063:7 host 25152:9imapropriate 25091:2025096:2 25105:16 25117:17 25118:1,1gunshots 25152:20 25025:17 25024:1825027:20 25033:19 hour 25041:12 25083:8imaudible 25007:2009:11 25026:13,23	glasses 25157:21				
25021:22 25027:8 25051:17 25054:17 25054:17 25057:19guards 25119:15,16 25120:125006:4,20 25009:4,5 25009:16 25011:9,22hospital 25051:3,7,11 25051:20 25052:1,525128:24 inaccurate 2510 inadequate 250525057:22 25058:6 25062:10 25079:13 25085:5 25087:9gunshot 25153:7 25154:825018:21,22 25019:2 25025:20 25026:6,1125055:2 25025:20 25026:6,11inaccurate 2510 inadequate 250525092:13,24 25093:2 25096:2 25105:16gunshots 25152:20 25153:925026:18 25027:19 25027:20 25033:19hostile 25151:9 hosting 25059:11inaudible 25007: 25026:13,2325117:17 25118:1,1mear 25032:7 25044:18hour 25041:12 25083:825026:13,23			25005:22,25 25006:2	25046:4	impression 25081:22
25054:17 25057:19 25057:22 25058:6guide 25018:8 gun 25123:7,1325017:19 25018:2,12 25018:21,22 25019:225052:13,15 25053:2 25055:2inadequate 2505 25055:225062:10 25079:13 25085:5 25087:9gunshot 25153:7 25154:825017:19 25024:12,16 25025:20 25026:6,11hospitals 25063:7 25025:20 25026:6,11inadequate 2505 25055:225092:13,24 25093:2 25096:2 25105:16gunshots 25152:20 Guys 25153:925026:18 25027:19 25027:20 25033:19hostile 25151:9 hosting 25059:11inaudible 25007:2009 25017:5 25019 25017:5 2501925117:17 25118:1,1hear 25032:7 25044:18hour 25041:12 25083:825026:13,23					
25057:22 25058:6gun 25123:7,1325018:21,22 25019:225055:225059:525062:10 25079:13gunshot 25153:725021:7 25024:12,16hospitals 25063:7inappropriate25092:13,24 25093:2gunshots 25152:2025026:18 25027:19host 25151:9inaudible 25007:25096:2 25105:16Guys 25153:925027:20 25033:19hosting 25059:1125017:5 2501925117:17 25118:1,1hear 25032:7 25044:18hour 25041:12 25083:825026:13,23					inaccurate 25101:3
25062:10 25079:13 25085:5 25087:9gunshot 25153:7 25154:825021:7 25024:12,16 25025:20 25026:6,11 25025:20 25026:6,11 25026:18 25027:19hospitals 25063:7 host 25120:19inappropriate 25091:2025092:13,24 25093:2 25096:2 25105:16gunshots 25152:20 Guys 25153:925026:18 25027:19 25027:20 25033:19hostile 25151:9 hosting 25059:11inaudible 25007: 25017:5 2501925117:17 25118:1,1hospitals 25032:7 25044:18hour 25041:12 25083:825026:13,23		0			inadequate 25056:19
25085:5 25087:9 25092:13,24 25093:225154:8 gunshots 25152:2025025:20 25026:6,11 25026:18 25027:19 25026:18 25027:19host 25120:19 hostile 25151:9 hosting 25059:1125091:20 inaudible 25007: 25017:5 25019 25017:5 25019 25026:13,23					
25092:13,24 25093:2 25096:2 25105:16gunshots 25152:20 Guys 25153:925026:18 25027:19 25027:20 25033:19hostile 25151:9 hosting 25059:11inaudible 25007:20207:20 25017:5 25019 25017:5 2501925117:17 25118:1,1					
25096:2 25105:16 25117:17 25118:1,1Guys 25153:9 hear 25032:7 25044:1825027:20 25033:19 hour 25041:12 25083:8hosting 25059:11 25026:13,2325017:5 25019 25026:13,23	111 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
25117:17 25118:1,1 hear 25032:7 25044:18 hour 25041:12 25083:8 25026:13,23	The La Detter				inaudible 25007:1,5
		Guys 25153:9		-	25017:5 25019:10
1 2502012 1 2512312 1 1 2502012 2505		I to the trave			
	25121:12 25123:18	N. N. Hardward M. Marthall	25044:20 25068:5	25160:22	25028:12 25054:14
25129:9,10 25134:12 hacked 25051:21 heard 25038:21 hours 25077:14 25095:3 25148			neara 25038:21	nours 250/7:14	25095:3 25148:8

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Pretoria

2511211 251644 259366 issue 2502921250443 2504920 2504931 250468 251382.50 115115 115116 2504361 250457 250457 250457 250457 250457 250457 250457 250457 250575 250577 2507772 2507772 2507772 2507727 2507724 2507727 2507724 2507724 2507724 25077					Page 8
2512 intimilaled 25043-2 interneliary 25021-0 250459-25049-4,12 250459-25049-4,12 250543 25150-25 injured 250021-6 internaly 25102-2 25055-7 25055-1	incident 25092:5	initial 25082:21	interim 25015:3	25149:6	ja 25031:20 25034:3
25130:23 initially 2500:5 internationally 25114:9 25050:17.25056:10 2509:12.200:22.1 25150:4 2500:23.2500:21 2507:12.200:23.12.500:4.1 2507:12.200:23.13.200:13.2 2507:12.200:23.13.200:13.2 25150:4 2500:25.2050:12.0 2507:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:12.1.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.200:12.2 2500:12.200:12.2	25113:11 25114:1	25164:4	25043:6	issue 25029:21 25044:8	25039:20 25040:13
25130:23 initially 2500:5 internationally 25114:9 25050:17.25056:10 2509:12.200:22.1 25150:4 2500:23.2500:21 2507:12.200:23.12.500:4.1 2507:12.200:23.13.200:13.2 2507:12.200:23.13.200:13.2 25150:4 2500:25.2050:12.0 2507:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:23.11.4 2500:12.200:12.1.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.2 2500:12.200:12.200:12.2 2500:12.200:12.2	25128:10,11 25131:5	initialled 25043:2	intermediary 25021:20	25045:9 25049:4,12	25043:18 25046:8
2519:5 injured 2302:16 international 25005:17 2509:10 2500:12 2505:31 2500:4 2510:16 2500:23 2500:29 2507:12 2501:23 2211:42 2506:33 2500:21 2507:13 2512:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2513:21 2507:13 2507:13 2507:14 2507:13 2507:14 2507:13 2507:14 2507:13 2507:14 2507:13 2507:14 2507:12 2507:14 2507:12 2507:14 2507:12 2507:14 2507:12 2507:12 2507:14 2507:12 2507:12 2507:14 2507:12 2507:12 2507:14 2507:12 2507:12 2507:12 2507:12 2507:14 2507:12 2507:					
incidents 25148.1,1 25025,3 2502-21 25065-3 2507-29 25074-7 25108-5 25066-10 2509-11 incidued 2500-7 25055-1 25063-7 25057-12 2507-12 25152-2511-24 25060-18 incidued 2500-7 250557-12 25057-12 25155-25 2514-23 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 25077-12 2507-11 2507-12 2507-11 2507-12 2507-11 2507-12 2507-11 2507-12 2507-11 2507-12 2507-11 2507-12 2507-12 2508-12 2507-12	25159:5			25059:19 25061:21	25053:13 25054:6
2510-4 2509-5.2051:6,10 25018-6,8,10 25109:2.02114.8 250068.25061.8 include 25002:7 25052.9,12,12 250291.3 251152.3521.21.2 25071.13 251152.3521.14 25071.13 251152.3521.14 25071.13 251152.3521.14 25077.12 25071.13 25017.15 25147.13 25017.15 25147.13 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.15 25018.12 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17 25017.17	incidents 25148:1,1			25074:7 25108:5	25056:10 25059:11
inclined 251014 251014 250551 250637. 2 250712 250751 220637. 2 250751 220637. 2 250752 251627. 2 25175 251462. 2 25087.1 25087. 2 25087.1 2 25087.2 2 2	25150:4	25049:5 25051:6,19	25018:6,8,10	25109:20 25114:8	25060:8 25061:8
include 25002:7 250551 250637 25029:13 25127:5 25146.23 25071:12 25071:12 25071:21 25072:12	inclined 25101:4			25115:23 25121:24	25065:3,6,25
including 25092:21 2518:1:4 2518:1:1 2518:1:4 2518:1:1 2518:1:1 2518:1:1 2518:1:1 2518:1:1 2518:1:1 <td>include 25062:7</td> <td>25055:1 25063:7</td> <td>25029:13</td> <td>25127:5 25146:23</td> <td>25070:12 25074:4,12</td>	include 25062:7	25055:1 25063:7	25029:13	25127:5 25146:23	25070:12 25074:4,12
2512015 25147:3 25150:15 25016:7.7 25002:19 25008:19 25007:22 25003:10 incorrect 25119:25 input 25077:11 25022:8 25116:9 2512:21,2 25083:13 25084:12 incorrect 25119:25 input 25077:21 25073:8 25006:21 25014:21 25116:9 2512:21,2 25083:13 25084:12 25077:22 25095:24 inside 25060:25 25015:16 25038:3 2506:21 25116:49 2508:25 25008:21 25014:21 2518:49 2514:48 25116:49 2516:32 25108:12 2503:35 25108:12 2512:52 25108:12 2503:35 25116:41 25103:21 25108:12 2503:35 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 25103:21 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:42 2512:41 25116:41 2510:41 25116:41 2510:41 25116:42 2512:41 25116:41 25116:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 25116:41 2510:41 <td< td=""><td>25071:13 25121:3</td><td>25133:21 25137:23</td><td>internet 25012:23</td><td>25150:16 25154:19</td><td>25074:20 25075:16</td></td<>	25071:13 25121:3	25133:21 25137:23	internet 25012:23	25150:16 25154:19	25074:20 25075:16
inclusive 25148:4 injuries 25064:20,20 25000:20 25031:14 issued 25002:12 25001:7 25082:4.5 incorporated 2506:19:25 inquiry 25026:9 interpretation 25103:14 25107:15 25008:0.5 25008:0.5 250712:7 25072:16 insufe 2506:1.4 2504:6.5 25006:2.5 25013:12 25008:0.5 25008:0.5 250712:7 25072:2 insufe 2506:0.2 insufe 2506:0.2 25013:12 25008:0.2 25008:0.2 25013:0.2 25008:0.2 25108:15 25008:0.2 25108:15 25108:15 25108:15 25108:15 25108:15 25108:15 25108:15 25108:16 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25129:12 25129:12 25129:12 25129:12 25129:14 25109:12 25129:14 25109:13 25109:13 25109:13 25109:13 25109:13 25109:13 25109:13 25109:13 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12 25109:12	including 25092:21	25138:1,4 25140:2	interpret 25015:3,19	25155:23 25159:10	25075:24 25076:3
incorporated 25035:25 input 2507:11 2502:8 25103:14 25107:15 25083:13 25084:12 indepted 25045:6 25036:25 25038:6 25006:22 125014:21 25116:9 25125:21,24 25009:61,4 25004:6 25009:61,4 25004:6 25009:62,4 25009:62,9 25100:37 25009:62,9 25100:37 25009:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:62,9 25100:37 25109:12 2500:65 25114:9 12 212:12 25131:9 25131:1 25103:14 25101:44 2512:13 25109:12 2500:65 25139:12 2500:12 25109:12 2500:12 25109:14 2510:11 25109:12 2510:18 25117:20 2512:12 2512:14 2512:12 2513:17 25129:14:18 25112:12 2512:14 2512:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:12 25139:12 2513:12 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:12 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 2513:17 25139:12 25	25120:15	25147:3 25150:15	25016:7,7 25030:19	25168:19	25077:25 25079:15
incorrect 25119:25 inquiry 250269 interpretation 25116:0 25125:21.24 25089:6,14 25095:11 25071:27 25097:67 25044:6 25004:12 25104:5 25003:3 25062:12 25097:67 25099:522 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25013:25 25113:15 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 25116:3 2513:22:1 2512:1:1 2512:1:1 2512:1:1 2512:1:1 2513:22:1 2513:22:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:1:1 2513:22:2:1:1 2513:22:2:1:1 2513:22:2:1:1 2513:22:2:1:1 2513:22:2:1:1 2513:2:2:1:1 2513:2:2:2:1:1:1 2513:2:2:1:1:1 2513:2:1:1:1<	inclusive 25148:4	injuries 25064:20,20	25030:20 25031:14	issued 25092:12	25081:7 25082:4,5
indebte 25045:6 25036:25 25038:6 25006:21 25014:21 25126:5 25095:16.17 25077:22 25095:24 insecred 25055:25 25015:16 25033:82 25038:6 25083:82 25038:6 25077:22 25095:24 inste 25000:10 25016:16 25033:82 2508:21 25106:12 2512.15 25010:14 25117:17 inste 25000:12 25016:16 25183:418:17.19 25116:21 2512.01:18 25133:13 25143:4 25130:14,16.22 interpretive 25018:8 issuing 25112:1 25124:14 25127:13 25056:15 2506:15 25149:10 25162:15 25020:12 25002:24 251132:02 25132:12 2513:12 25078:16 225076:17 instrances 2513:2:1 interview 25031:3.8 interview 2503:3:3 25149:21 2513:2:13 25139:22 2513:12 25078:16 225076:17 instantaneously interview 2503:1:3 25049:12 2506:12 25149:22 2515:4:2 2508:12 2508:12 2508:17 instrate 2507:21:12 interview 2503:25 25009:12 2506:3:12 25149:22 2515:4:2 2508:12 25078:13 25018:7 interview 2503:25 interview 2503:25 2506:17 25149:22 2515:4:2 2508:12 2508:13 2508:17 interview 2503:11.2 interview 2503:12	incorporated 25035:25	input 25047:11	25032:8	25103:14 25107:15	25083:13 25084:12
indicate 25061:14 25044:25 25015:12 issues 25035:14 25098:11 25103:24 25071:27 225095:24 instered 25055:25 25015:16 25049:92 25049:924 25105:25 2108:21 25099:69 25100:37 insofar 25016:25 insterpereted 25015:16 25038:8 25062:10 25102:12 25131:13 25132:15 25031:48 25066:19 25032:6 25143:4 25148:17,19 25122:1 25123:1.6 25051:3 25053:15 25149:10 2516:15 25002:12 interpretive 25018:8 issuing 25112:1 25132:12 25134:12 25068:12 5060:55 25163:25 25155:14 25160:16 25117:20 25136:13 25063:19 25136:13 25033:19 25139:12 5103:15 25076:18 25012:17 instanatonousy interview 25031:1,8 ird 25008:12 2500:12 25109:12 2500:21 2519:22 2516:12 25080:13 25081:19 25130:15 25107:12,0 instructed 25107:21,21 instructed 25007:12 instructed 25007:12,1 instructed 25007:12,1 2519:23 2519:23 25080:13 25081:19 25109:12,1 2519:2512.20 instructed 25007:12,1 2519:250 2519:250 2519:250 25080:13 25081:19 instructed 25007:21,2 <td< td=""><td>incorrect 25119:25</td><td>inquiry 25026:9</td><td>interpretation</td><td>25116:9 25125:21,24</td><td>25089:6,14 25095:11</td></td<>	incorrect 25119:25	inquiry 25026:9	interpretation	25116:9 25125:21,24	25089:6,14 25095:11
25071:27 25073:27 25015:16 25043:9 25043:9 25109:25 25109:21 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25129:17 25129:17 25129:17 25129:17 25139:25 2500:15 2509:15 25109:12 25139:22 25139:14 25109:12 25139:22 25139:14 25109:12 25139:14 25109:12 25139:14 25109:12 25139:14 25109:12 25139:14 25109:12 25139:14 25109:11 25109:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 25139:12 <td< td=""><td>indebted 25045:6</td><td>25036:25 25038:6</td><td>25006:21 25014:21</td><td>25126:5</td><td>25095:16,17</td></td<>	indebted 25045:6	25036:25 25038:6	25006:21 25014:21	25126:5	25095:16,17
25077:22 25095:62 inside 25000:10 25001:62 25106:16 25106:16 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25106:12 25120:18 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25122:12 25130:12 2516:12 2	indicate 25061:14	25044:6	25014:25 25015:12	issues 25035:14	25098:11 25103:24
2509:6) 2510:3 insist 2500:10 250:16:16 2510:8:3 25116:12 25116:12 2512:12 2513:12	25071:2,7 25072:16	inserted 25055:25	25015:16	25043:9 25049:9,24	25105:25 25108:21
2509:6) 2510:3 insist 2500:10 250:16:16 2510:8:3 25116:12 25116:12 2512:12 2513:12		inside 25060:24	interpreted 25014:18		25109:19 25116:18
25101:4 25117:17 insofar 25016:25 25143:4 25143:418:17,19 2512:12:12:12:12:12:12:12:12:12:12:12:12:1	25099:6,9 25100:3,7	insist 25090:10	25016:16	25108:3 25116:3	25116:21 25120:18
25131:3 25031:4 25031:4 25032:6 25154:18 25121:1 25131:1 <		insofar 25016:25	interpreting 25015:6	25143:4 25148:17,19	
indicated 25024-6 25134:2 25141:13 interrupt 25012:11 2512:-9 25132:2 25134:2 25056:15 25060:5 25149:10 25162:15 25000:12 2506:24 iterruption 25033:3 iterruption 25033:3 <td< td=""><td>25131:9 25132:15</td><td>25031:4,8 25066:19</td><td></td><td>25154:18</td><td></td></td<>	25131:9 25132:15	25031:4,8 25066:19		25154:18	
25051:13 25053:15 25149:10 25162:15 25020:12 25006:3 25117:20 25135:19 23136:3 25056:15 25060:5 25163:25 25163:25 2515:14 25106:16 25117:20 25136:13 25136:3 25076:18 25070:17 instantaneously interviewer 2503:1.8 17 25006:15 25063:10 25139:24 25147:17 25139:24 25147:17 25078:16 24 25079:3 25139:15 25155:12 202 25049:15 2503:10 25149:24 25155:12 25080:13 25081:19 25130:15 15155:12,20 25049:15 2506:10 25149:22 25147:17 25149:20 25099:10 251087: instruction 25078:23 instruction 25078:23 investigate 25115:20 2501:18 25016:10 25106:19 25107:22 25134:19 25137:7,22 25107:14 2517:14 25107:14 2517:352 25105:12 25019:11 25106:19 25107:22 25137:24 25145:11 25103:14 2517:14 25117:20 251:22 25019:11 25106:19 25106:10 25106:19 25106:10 25106:15 2506:10 25106:15 2506:10 25106:12 2500:177 25106:15 25007:12 25106:12 2500:177 25106:15 25007:12 25106:12 2500:177 25106:15 25007:12 25106:12 2500:171 25106:15 25007:12 25106:12 2500:177 25106:15 25007:12	25133:13 25143:4	25130:14,16,22	interpretive 25018:8	issuing 25112:1	25129:17 25131:7
25056:15 25060:5 25163:12 25 25153:14 25100:16 25117:20 25136:13 25138:11 25068:3 25072:12 instraces 25132:21 interview 25031:1.8 Interview 25032:3 25149:24 25145:14 25073:6,11 25076:7 instances 25132:21 interview 25031:1.8 Interview 25032:5 25049:15 25063:19 25149:24 25156:12 25078:16,24 25079:32 25130:15 25155:12.20 25049:15 25006:12 25101:12 25199:14.12 25081:21 25082:37 instructed 25107:21.21 instructed 25107:21.21 investigate 25115:20 25005:24 25010:14 25103:22 25104:1 25134:9 25137:7.22 25107:16.17 investigate 25115:20 25001:18 25012:11 25106:19 25107:20 25101:16:10 2507:22 25134:9 25145:11 25107:16.17 investigate 25103:20 25001:13 250329 25002:24 25001:41 25106:19 2500:22 25105:12 2500:21 251010:32 25106:10 25145:19 25145:11 instruction 2507:22 25115:52 25002:24 25023:41 25102:10 25106:10 25002:42 2502:42 25011:12 25106:12 25002:42 2502:42 25016:12 25002:42 2502:42 25016:12 25002:42 2502:42 25017:12 25106:12	indicated 25024:6	25134:2 25141:13	interrupt 25012:11	25122:9	25132:2 25134:2
25088:3 25072:12 inspired 25021:2 interruption 25033:3 if'll 25082:0 25124:9 25139:24 25145:4 25073:6,11 25076:7 instances 25132:21 interviewer 25032:5 istalice 25012:1 25149:24 25156:12 25078:16,24 25079:3 25139:15 25153:12.20 25012:10 25061:19 25149:24 25153:6 25080:13 25081:19 25130:15 25151:12.20 25012:10 2507:23 jacket 25133:6 25084:8 25085:8,8 instructor 25078:23 investigate 25115:20 25012:10 2507:32 jacket 25103:10 25116:8 2512:28 25084:8 25090:24 25103:12 25145:12 25103:12 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25103:12 25103:12 25115:24 25002:24 2502:39,12 JJI08 25051:17 25145:12 25149:11 instructions 25042:22 25116:51,520 25009:12 2509:11 25113:12 25115:12 2512:21 25103:12 25005:12 2500:12 25105:12 2500:11 25119:22:25 25055:12 25113:12 25015:2 2500:12 25055:12 25113:12 25113:51:12 25002:12 25003:12 25103:12 25103	25051:13 25053:15	25149:10 25162:15		item 25108:18	25135:19,23 25136:3
25073:6,11 25076:7 instantaneousy interview 25031:1,8 Pd 25006:18 2507:17 25147:17 25149:20 25076:18 25077:17 instantaneousy interview 25032:5 25049:15 25063:19 25149:24 25156:12 25080:13 25081:19 25139:14 25139:12 25159:12,20 25049:15 25063:19 25139:25 25084:12 25082:3,7 instincts 25042:6 investigate 25115:20 25049:25 25157.4 January 25103:20,21 25084:12 2508:37 instructed 25107:21.21 25107:15 25121.7 25106:10 January 25103:20,21 25137:24 25138:2 25103:14 25107:14 25102:7.25 25145:12 25010:18 25012:11 25100:122 25103:16 25106:10 25137:24 25147:9.15 25137:7.22 25107:16,17 investigation 25103:2.9 25002:24 25019:11 25103:2527:17 25145:19 25147:9.15 instructions 2504:22 25113:6 2518.5 25030:4,12 25048:15 JJJI08 25051:17 25145:19 25146:19 instructive 2509:4 instructive 2509:4 instructive 2509:4 instructive 2509:4 join 2503:2.5 25166:19 instructive 2500:4.8 25113:6 2518:2 25065:6.10 25071:4 JUCCOM 25161:21	25056:15 25060:5	25163:25	25155:14 25160:16	25117:20	25136:13 25138:11
25076:18 25077:17 instantaneously interviewer 25032:5 25049:12 25063:19 25149:24 25156:12 25078:16,24 25079:3 25129:14,18 introduced 25145:24 FII 25006:2 25011:15 25159:12 25080:13 25081:19 25130:15 25159:12 25012:10 25027:25 jacket 25153:6 25089:12 12508:37 instructor 25078:23 instructor 25078:23 25107:12 25117:5 25121:7 25166:19 25103:22 25104:1 25116:8 25122:8 25084:8 25090:24 25103:12 25115:7 22 15017:14 25103:12 25115:7 22 15017:14 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25103:12 25107:12 25105:12 25009:11 25107:03.25 25113:7 25137:2 25145:11 instructions 25042:22 25116:5,12 25002:13,23 25007:17 25108:21 25143:17 25162:11 25143:17 25162:11 25143:17 25162:11 25143:17 25162:12 25062:18,19 25063:21 25132:21,22 25165:19 instructive 2500:4,8 25113:6 25118:24 25062:18,19 25063:25 25132:21,22 25036:12 25063:21 250303:24,19 25062:18,19 25063:25 <td< td=""><td>25068:3 25072:12</td><td></td><td></td><td>it'll 25038:20 25124:9</td><td>25139:24 25145:4</td></td<>	25068:3 25072:12			it'll 25038:20 25124:9	25139:24 25145:4
25078:16.24 25079:3 25129:14.18 introduced 25145:24 FII 25006:2 25011:15 25159:25 25080:13 25081:19 25130:15 instinucts 25042:6 investigate 25115:20 25009:10 25008:7 jacket 25135:6 250981:20 25082:3,7 instruction 25078:23 investigate 25115:20 25100:12 25009:12 25100:12 25009:12 25100:12 25106:10 25116:8 25122:8 250081:42 25009:14 25100:12 2516:19 investigate 25161:20 25100:12 25106:10 25100:12 25106:10 25113:7:24 25138:2 25107:12 25115:12 25009:10 25107:22 25100:12 25100:10 25100:12 25100:10 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 25100:12 2500:11 25100:12 2500:11 25100:12 2507:22 25055:8 2513:17 25132:21 22:22 25132:21 2:22:22 25132:21 2:22:22 25132:21 2:2513:21 25132:21 2:2513:21 25132:21 2:2513:21 25132:21 2:25132:12 25132:21 2:25132:12 25132:21 2:22:22:22 2505:8 2:513:21 25132:21 2:22:22:22:22:22:22:22:22:22:22:22:22:2	25073:6,11 25076:7	instances 25132:21	interview 25031:1,8	I'd 25006:18 25012:17	25147:17 25149:20
25080:13 25081:19 25081:21 25082:37 25081:21 25082:37 25084:8 25085:8,8 32085:8,8 25085:87 25192:82 25192:	25076:18 25077:17	instantaneously	interviewer 25032:5	25049:15 25063:19	25149:24 25156:12
25081:21 25082:3.7 instincts 25042:6 investigate 25115:20 25049:25 25145:12 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:22 25103:12 25103:22 25103:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 25003:12 <td< td=""><td>25078:16,24 25079:3</td><td>25129:14,18</td><td>introduced 25145:24</td><td>I'll 25006:2 25011:15</td><td>25159:25</td></td<>	25078:16,24 25079:3	25129:14,18	introduced 25145:24	I'll 25006:2 25011:15	25159:25
25084:8 25085:8.8 instruction 25078:23 25117:5 25121:7 25106:19 25106:19 25106:22 25104:1 25117:5 2512:8 25038:4 25090:24 25103:14 25107:14 25105:12 25115:14 25105:12 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25101:13 25105:12 25011:13 25012:11 25105:12 25013:12 25105:12 25013:17 25005:12 25078:17 25005:14 25007:12 25005:14 25007:12 25005:14 25007:12 25005:14 25007:12 25005:13 2506:17 25005:12 2506:17 25105:12 25015:13 2506:17 25105:12 25015:13 2506:17 25105:12 25015:13 2506:17 25005:12 2506:17 25105:12 25007:12 25005:12 25015:13 25105:12 25015:15 25007:12 25005:12 25015:15 25007:12 25005:12 25015:15 25007:12 25005:12 25015:15 25015:12 25105:12 25105:12 25105:12 25105:12 25105:12 25105:12 25105:12				25012:10 25027:25	
25099:10 25108:7 251168: 25122:8 25122:8 instruction 25078:23 25084:8 2509:24 25107:14 25107:14 25134:2 25137:7,22 investigated 25066:19 25107:12 25101:18 25011:11 25105:22 25010:12 25107:16,17 investigated 25066:19 25107:16,17 investigation 25103:2,9 25017:16,17 25107:16,17 investigation 25103:2,9 25020:2,3,12 25103:10,3,25 25113:7 25143:19 25143:1,1 instructions 25042:22 25016:19 25164:19 25104:12 25016:19 25005:13,23 25027.7 25012:19 2505:13 25155:19 25164:19 instructive 25029:4 25113:17 25143:12,12 25057:2,2,6,10,20 25123:22,12 25165:19 instruments 25027:12 25036:11 25102:19 25062:18,19 25062:13 25132:19 25133:7 25156:11 25133:7 25156:11 25030:11 25102:19 25071:15,18 25132:19 25133:22,12,2 25133:7 25156:11 intel 25044:12 25015:15 25148:6 25113:6 25118:24 25002:14,19 25061:17 25156:22 25169:1 2500:12 25142:19 25017:15 intel 25042:14 25015:15 2516:11 25132:12 2516:22 25169:1 25012:14 25015:5 25072:16,119 25152:16 2513:5 JPG 25003:22 25156:22 25169:1 25016:12 25016:12 25016:12 25016:12 25016:12 25016:12 25016:1	25081:21 25082:3,7				January 25103:20,21
25116:8 25122:8 25137:24 25132:20 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25137:24 25138:2 25151:5,12,23 25151:5,12,23 25151:5,12,23 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25168:21 25169 interctive 25029:4 251337: 25156:11 25168:21 25169 interctive 25029:4 25169 interctive 25029:4 25169:21 25169 interctive 25029:4 25169:21 25169 interctive 25029:4 25169:21 25169:21 25169:21 25169:21 25169:21 25169:21 25169:21 25169:21 25169:21 25169:21 25169:22 25050:13 25169:22 25050:14 25179:2518:24 25006:14 25179:2518:24 25006:16,19 25179:2518:24 25079:22,2608:25 25079:22,2608:25 25079:22,2608:25 25079:22,2608:25 25099:22 25059:23 25071:15,18 25079:24 25137:7 25050:11 25169:25169:2 1002 25169:2 1002 25169:2 1002 25169:2 1002 25169:2 1002 25169:2 25169					
25127:3 2513:20 25103:14 25107:14 25145:17,22 25015:22 25019:11 25103:25 2513:7 25137:24 25138:2 25113:12,24 25020:2,3,12 25020:2,4,22 25039:17 25020:2,4,22 25039:17 25020:2,4,22 25039:17 25020:2,2,12 2505:8 2513:17,18 25145:12,23 25042:22 25078:17 25117:16 25118:5 25030:4,12 25048:15 JUJ08 25051:17 25055:8 25134:17,18 2515:5:12,23 25091:0 25168:18 25143:17 25145:21 25057:2,2,6,10,20 25132:22,22 25132:22,22 2515:5:256:11 instructive 25029:4 instructive 25029:4 investigations 25057:2,2,6,10,20 25132:21,22 25132:21,22 2513:5:7 2516:11 intelligence 25050:4,8 25113:6 25118:24 25057:2,2,6,10,20 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,19 25032:4,29 25132:5 25132:5 25132:5 25010:2 25142:10 25145:12 25145:14 25015:5 2507:24 25143:6,8 100CC 0012:14 25132:12 25145:14 2502:24 25032:4 25015:5 25032:4 25016:2 25033:4 25016:12 </td <td></td> <td></td> <td></td> <td></td> <td></td>					
25134:9 25137:7,22 25107:16,17 investigation 25103:2,9 25020:2,3,12 Ja-no 25048:25 25137:24 25138:2 25113:12,24 25113:12,24 25022:24 25023:9,12 25025:13,23 25027.6 25055:8 25134:17,18 25145:19 25145:19 25042:22 25078:17 25113:12 25145:21 25030:4,12 25048:15 25022:24 2505:13 25057:2,2,6,10,20 25129:22,25 25155:9 25164:19 instruments 25027:12 instruments 25027:12 25036:11 25102:19 25065:19 25059:23 25061:17 JOC COM 25161:21 indicating 25013:7 instruments 25027:12 25036:11 25102:19 25065:6.10 25071:1 JOC COM 25161:21 25104:2 25137:7 intend 25045:11 25113:24 25138:24 25071:15,18 25152:16 25153:5 25070:24 25137:7 intende 25007:15 invoice 25146:15 25172:2 25146:25 25104:5 25148:6 indication 25081:4,6 istruments 2507:12 invoice 2519:4 25071:15,18 25012:4 25000:11 2510:24 25164:25 2510:42 25164:15 25142:24 25143:6.8 judgment 25010:9 individual 25078:23 25002:14 25087:23 invoice 2519:4 25012:4 25011:4 25012:13,20 25004:13 25106:2 2518:24 25146:23 251					
25137:24 25138:2 25113:12,24 2513:12 25115:24 25022:24 25023:9,12 JJJ108 25051:17 25142:19 25147:9,15 25042:22 25078:17 25116:5,15,20 25030:4,12 25048:15 JOC 25127:9 25129:20 25155:5,12,23 2509:10 25168:18 25121:10 25143:2,15 25049:22 25057:13 JOC 25127:9 25129:20 25155:9 25164:19 25168:21 25147:17 25145:21 25057:2,2,6,10,20 25132:19 25135:7 25156:11 instructive 25029:4 instructive 25027:12 25036:11 25102:19 25065:6,10 25071:1 join 25032:4,19 25070:24 25137:7 intedligence 25050:4,8 25119:2 25142:19 25071:15,18 JPG 2509:25 25070:24 25137:7 intende 25045:11 25143:5,23 25072:16,16,19 Jpides 25012:2 25080:11 25156:2 25169:1 invocation 25140:19 25141:13,16,18 JPG 25093:22 25080:11 25101:24 25087:23 invocation 25140:19 25141:23,16,19 Jpidgeen 25010:9 25080:11 25101:24 25087:23 25002:14,42 25143:13,19 250114: 25012:12 25146:12 25012:12 25146:12 25064:3 25147:25 interde 2507:12 25003:12 25145:21 25146:23 25012:4 25013:3 25026:12,14 25012:12 25012:12					
25142:19 25145:11 instructions 25042:22 25116:5,15,20 25025:13,23 25027:6 25055:8 25134:17,18 25145:19 25147:9,15 25042:22 25078:17 25117:16 25118:5 25030:4,12 25048:15 JOC 25127:9 25129:20 25155:9 25164:19 25168:12 25143:17 25145:11 25057:2,2,6,10,20 25132:12,22 25132:19 25165:19 instructive 25029:4 investigations 25056:6,10 25071:1 JOC 25131:7 25105:17 instructive 25029:4 investigations 25065:6,10 25071:1 JOC 2509:25 25133:7 25050:11 25143:5,23 25072:16,16,19 JOC 2509:25 25144:24 25005:13 25143:5,23 25072:16,16,19 JOC 2509:25 25142:12 4 25087:23 25012:14:25 2503:10 25071:15,18 JPG 2509:25 25081:1 2510:24 25087:23 involve 25146:15 25142:24 25143:6,8 judges 25010:9 25081:1 25106:2 2503:14 2502:12 25145:21 25146:23 25011:4 25012:13.20 25081:1 2510:24 25087:23 involve 25146:15 25145:21 25146:23 25012:4 25003:12 25008:12 2516:25 25079:6 <td< td=""><td>,</td><td></td><td>0</td><td></td><td></td></td<>	,		0		
25145:19 25147:9,15 25042:22 25078:17 25117:16 25118:5 25030:4,12 25048:15 25129:22,25 25155:5,12,23 25091:10 25168:18 25121:10 25143:17 25049:22 25052:13 25129:22,25 25155:9 25168:19 instructive 25029:4 investigations 25059:23 25030:4,12 25030:20 25132:12,12 25165:19 instruments 25002:12 25036:11 25108:21 25059:23 25061:17 JOCC 025127:19 25133:7 25050:11 25030:4,8 25113:6 25118:24 25065:6,10 25071:15,18 25128:16 joine 25059:23 2507:24 25137.7 intend 2504:5 25143:5,23 25071:15,18 25172:16,16,19 JPG 25093:22 judgeen 25010:9 judgeen 25010:9 25141:3,19 25012:4 25037:3,23 25012:4 25037:3,20 25012:4 25013:3,2506:12,11 judgeen 25010:9 25014:3,25148:6 judgeen 25010:9 25014:3,25148:6 judgeen 25010:9 25013:3,25026:12,14 250013:3,25026:12,12 25149:12,2145:13,19)		,	
25151:5,12,23 25091:10 25168:18 25121:10 25143:2,15 25049:22 25052:13 25129:22,25 25155:9 25164:19 instructive 25029:4 investigations 25059:23 25061:17 JOCCOM 25161:21 25135:7 25156:11 instructive 25027:12 25036:11 25102:19 25062:18:19 25063:23 JOCCOM 25161:21 25133:7 25156:11 intelligence 25050:4,8 25113:6 25118:24 25062:18:19 25071:15 join 25032:4,19 25070:24 25137.7 intend 25045:11 25143:5,23 25072:16,16,19 JPG 25093:22 25164:24 25104:5 25148:6 inviting 25164:10 25072:16,16,19 JPG 25093:22 indication 25081:4,6 25156:2 25169:1 involve 25146:15 25143:13,19 25013:3 25026:12,4 individual 25078:23 25021:24 25087:23 25023:4,4 25025:15 25143:21 25146:23 25013:3 25026:12,14 25064:3 25147:25 intention 25007:17 2509:19 25078:13 25149:17 25150:1,16 25038:5 25041:22 25146:25 25149:14 25027:3 25064:3 25147:25 interion 25007:17 2509:19 25078:13 251514:23 25155:14 25003:13 25026:12,14 25003:3 25026:12,14 25079:20					
25155:9 25168:21 25143:17 25143:17 25057:2,2,6,10,20 25132:21,22 25155:9 instructive 25029:4 investigations 25059:23 25059:23 25059:23 25059:23 25059:23 25059:23 25059:25 indicates 25133:7 25050:11 25036:11 25065:61.0 25071:15,18 25059:23 25072:16,16.19 joined 25059:25 25104:2 25133:6 25070:24 25133:7 25065:61.11 25143:5,23 25072:16,16.19 JPG 25093:22 25164:24 25104:5 25169:1 invocation 25140:19 25141:13,16,18 25012:4 indication 25078:23 25021:24 25087:23 25021:24 25087:23 25002:4 25013:5 25012:4 25080:11 intended 25007:17 25059:19 25078:13 25149:12 25146:23 25011:4 25017:3 25002:12,14 25064:3 25147:25 intention 25007:17 25059:19 25145:12 25145:21 25102:13 25151:13 25027:3 25028:12,14					
25165:19 instructive 25029:4 investigations 25059:23 25061:17 JOCCOM 25161:21 indicates 25132:19 instruments 25027:12 25036:11 25102:19 25065:6,10 25071:11 join 25032:4,19 25133:7 25156:11 intelligence 25050:4,8 25113:6 25118:24 25065:6,10 25071:11 joined 25059:25 2500:24 25137.7 intend 25045:11 25143:5,23 250771:15,18 25152:16 25153:5 25164:24 25104:5 25148:6 inviting 25164:10 25073:10 25074:24 judges 25010:9 indication 25081:4,6 25156:2 25169:1 invocation 25140:19 25141:13,16,18 25012:4 individual 25078:23 25021:24 25087:23 involve 25146:15 25143:13,19 25011:4 25012:13,20 25080:11 25110:24 25164:25 25023:4,4 25025:15 25145:21 25146:23 25013:3 25026:12,14 25064:3 25147:25 intertion 25007:17 25059:19 25073:13 25149:17 25150:1,16 25028:1,11 inference 25077:21 interest 25025:12 2510:19 25173:2 25155:18,24 25156:1 25028:1,11 information 25053:16 interest 25025:12 2500:17 25029:23 25156:7,8,19 junior 2503:	· · · ·				
indicates 25132:19 25133:7 25156:11 intelligence 25050:4,8 25070:24 25137.7 25070:24 25137.7 25164:24 instruments 25027:12 25050:11 25050:11 25036:11 25102:19 25113:6 25118:24 25113:6 25118:24 25062:18,19 25063:2 25050:6,10 25071:1 25070:16,19 joine 25032:4,19 joined 25059:25 25070:24 25137.7 25164:24 25104:5 25148:6 25104:5 25148:6 25119:2 25142:19 25077:16,16,19 JPG 25093:22 indication 25081:4,6 indication 25081:4,6 25156:2 25169:1 invocation 25140:19 25141:13,16,18 25012:4 individual 25078:23 250021:24 25087:23 involve 25146:15 25145:21 25146:23 25011:4 25012:13,20 25080:11 25110:24 25047:23 involve 25019:4 25145:21 25146:23 25011:4 25012:13,20 25064:3 25147:25 25166:2 25038:5 25041:22 25146:25 25149:14 25027:3 25064:3 25147:25 intertion 25007:17 25059:19 25078:13 25147:25 151:14 25027:15 informe 25069:23 25010:17 25029:23 2516:23 25154:14 25027:15 25028:11 informed 25053:16 interest 25025:12 25010:17 25029:23 25154:23 25157:14 judicial 25001:13 25076:4 25102:14 25023:7 25030:18 IPID 25114:82115:24 25					· · · · · · · · · · · · · · · · · · ·
25133:7 25156:11 indicating 25013:7 25070:24 25137:7 25164:24intelligence 25050:4,8 25050:1125113:6 25118:24 25119:2 25142:19 25143:5,2325065:6,10 25071:11 25071:15,18joined 25059:25 2515:16,1925070:24 25137:7 25164:24intend 25045:11 25104:5 25148:625143:5,23 inviting 25164:1025072:16,16,19 25073:10 25074:24JPG 25093:22 25073:10 25074:24indication 25081:4,6 indirect 25024:4 individual 25078:23 25080:11intended 25007:15 2512:24 25087:23involve 25146:15 involved 25019:425141:13,16,18 25142:2,4 25143:6,8 25143:13,19judges 25010:9 25011:4 25012:13,20 25013:3 25026:12,1425080:11 25080:1125110:24 25164:25 25021:24 25087:23 25066:225023:4,4 25025:15 25038:5 25041:22 25038:5 25041:22 25149:12 25146:25 25149:14 25146:25 25149:14 25102:19 25078:13 25160:21 25152:13 25160:21 25152:13 25027:32judgment 25012:13,20 25038:5 25041:22 25146:25 25149:14 25012:15 2507:6indugence 25088:9,10 25015:5 25079:625102:19 25103:2 25108:12 25156:13 25029:202518:21 25136:23 25159:12 25152:13 25159:18,24 25156:11 25123:15:24judgenet 25027:15 25030:13inform 25069:23 25072:8 25073:7 25032:72 25032:7 25032:72 25033:7 25032:72 25033:7 25032:72 25033:7 25032:72 25043:9interest 2505:51 25148:21 25152:4225157:12,21 25166:72 25145:11,19 25148:11,21juticia 25021:13 25076:4 25102:14 25128:22informed 2505:48 25070:32 25076:4 25102:14 25010:32interest 2503:32 25037:2,925148:11,21 25056:7 25148:11,21 25148:11,21jutify 25008:8 2508:825014:16 25014:16in					
indicating 25013:7 25050:11 25119:2 25142:19 25071:15,18 25152:16 25153:5 25070:24 25137:7 intend 25045:11 25143:5,23 25072:16,16,19 judges 25010:9 25164:24 25104:5 25148:6 inviting 25164:10 25073:10 25074:24 judges 25010:9 indication 25081:4,6 25156:2 25169:1 invocation 25140:19 25141:13,16,18 judgment 25019:1 individual 25078:23 25021:24 25087:23 involved 25019:4 25145:21 25146:23 25012:4 25012:4 25080:11 25110:24 25164:25 25038:5 25041:22 25146:25 25149:14 25027:3 25002:12,4 25012:4 25012:4 25012:4,2 25013:3 25026:12,14 25064:3 25147:25 intention 25007:17 25059:19 25078:13 25149:17 25150:1,16 25028:1,11 judgments 25027:15 25028:1,11 information 25053:16 25029:20 interest 25025:12 25114:8 25115:24 25156:7,8,19 judicial 25001:13 judicial 25021:1 25076:4 25102:14 25127:23 25030:18 IPID 25114:8 25115:24 25156:7,8,19 jumping 25049:25 junior 25013:5 25076:4 25102:14 25102:14 25037:2,9 25148:11,21 justify 25008:8				-	•
25070:24 25137:7 25164:24intend 25045:11 25104:5 25148:625143:5,23 inviting 25164:1025072:16,16,19 25073:10 25074:24JPG 25093:22 judges 25010:9indication 25081:4,6 indication 250081:4,625156:2 25169:1 intended 25007115invocation 25140:19 invoetation 25140:1925141:13,16,18 25142:2,4 25143:6,8JPG 25093:22 judges 25010:9individual 25078:23 25001:1125021:24 25087:23 25021:24 25166:225023:4,4 25025:15 2503:4 2505:1525145:12 25146:23 25145:12 25146:2325011:4 25012:13,20 25003:12 25145:12individuals 25054:9 25064:3 25147:2525166:2 intertion 25007:1725029:19 25078:13 2503:12 25103:225145:21 25146:23 25145:12 25146:2325027:3 25029:19 25078:13 25155:18,24 2515:14judgments 25027:15 25028:1,11indengence 25088:9,10 information 250053:16 25127:2325015:5 25079:6 25029:2025102:19 25103:2 2510:17 25029:23 2510:17 25029:2325155:18,24 2515:14 25155:18,24 2515:14judigments 25027:15 25028:1,11information 25053:16 25077:8 25073:7 25030:18interest 25025:12 25030:1825111:8:8 25115:24 25123:17,24 irregularly 25117:23 irregularly 25117:23 irregularly 25117:23 irregularly 25117:23 2506:7 25145:11,19 25148:11,21 25148:11,21 25148:11,21 25148:11,21 25148:11,21 25148:11,21 25148:11,21 25087:29justify 25008:8 25087:21infringes 25010:3 25014:16interest 25043:4 25016:3 25025:2 25014:1625014:16isn't 25008:10 25011:3 25016:3 25025:225154:24infringes 25010:3 25014:16interefer 25007:1625006:12 25011:3 25016:3 25025:225016:3 25					ů –
25164:2425104:5 25148:6inviting 25164:1025073:10 25074:24judges 25010:9indication 25081:4,625156:2 25169:1invocation 25140:1925141:13,16,1825012:4individual 25078:2325021:24 25087:23involve 25146:1525142:2,4 25143:6,8judgment 25010:925080:1125110:24 25164:2525023:4,4 25025:1525145:21 25146:2325013:3 25026:12,1425080:1125110:24 25164:2525038:5 25041:2225146:25 25149:1425027:325064:3 25147:25intention 25007:1725059:19 25078:1325140:12 25150:1,16judgments 25027:15indigence 25088:9,1025015:5 25079:625102:19 25103:225150:21 25152:13judgments 25027:15inform 25069:2325029:20in-camera 25010:13,1525155:18,24 25156:1judicial 25021:1informed 25054:8interest 25025:1225010:17 25029:2325156:7,8,19jumping 25049:252517:2325032:7 25043:925123:17,2425160:13,18jurisprudence 25012:325076:4 25102:1425023:725032:7 25043:9irregularly 25117:231've 25011:6 25048:1325076:4 25102:14250205:825123:17,2425166:13,18justify 25008:825076:4 25102:1425010:8irreesting 25005:825037:2,925148:11,2125145:1325016:3 25025:225016:3 25025:225016:3 25025:225087:2125087:21infringes 25010:3interesting 25007:1625026:14 25141:7Justify 25008:825087:21infringes 25010:3interefter 25007:1625026:14 25141:7Justify 25008	0				
indication 25081:4,6 indirect 25024:4 individual 25078:23 25080:1125156:2 25169:1 intended 25007:15 25021:24 25087:23 25021:24 25087:23 25021:24 25087:23 25021:24 25087:23 25012:4 25164:25invocation 25140:19 involved 25019:4 25023:4,4 25025:15 25038:5 25041:22 25038:5 25041:22 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25146:23 25145:21 25150:1,16 25075:14 25075:15 25079:6 25075:2 5079:6 25015:5 25079:6 25010:17 25029:23 25127:23 25029:20 interest 25025:12 25010:17 25029:23 25127:23 25029:20 25127:23 25030:18 25029:20 interest 25025:12 25030:18 25010:17 25029:23 25127:23 25076:4 25102:14 25032:7 25043:9 25032:7 25043:9 25032:7 25043:9 25032:7 25043:9 25032:7 25043:9 25032:7 25043:9 25032:7 25043:4 25032:7 25032:7 25043:9 25032:7 25032:7 25043:9 25032:7 25043:4 25032:7 25032:7 25043:9 25032:7 25032:7 25043:9 25032:7 25032:7 25043:9 25032:7 25043:9 25032:7 25043:9 25032:7 25032:7 25043:4 25032:22 25032:7 25043:4 25032:22 25032:7 25043:4 25032:7 25032:7 25043:9 25145:13 25032:22 25032:7 25043:4 25032:22 25032:7 25043:4 25032:22 25032:12 2503					
indirect 25024:4intended 25007:15involve 25146:1525142:2,4 25143:6,8judgment 25010:9individual 25078:2325021:24 25087:2325021:24 25087:2325143:13,1925011:4 25012:13,2025080:1125110:24 25164:2525102:1925145:21 25146:2325013:3 25026:12,14individuals 25054:925166:225038:5 25041:2225146:25 25149:1425027:325064:3 25147:25intention 25007:1725059:19 25078:1325149:17 25150:1,16judgments 25027:15indulgence 25088:9,1025015:5 25079:625102:19 25103:225150:21 25152:1325028:1,11inference 25077:21interchangeably25118:21 25136:2325154:23 25155:14judicial 25021:1information 25053:16interest 25025:1225010:17 25029:2325156:7,8,19jumping 25049:2525127:2325030:18IPID 25114:8 25115:2425160:13,18jumping 25049:25informed 25054:8interest 25015:525123:17,2425160:13,18jurisprudence 25012:325076:4 25102:1425128:22irrelevant 25036:2525056:7 25145:11,1925145:1325076:4 25102:1425010:8irrelevant 25036:2525056:7 25145:11,1925145:13infringes 25010:3interests 25043:425008:10 25011:325154:2425087:21infringes 25010:3interests 25043:425016:3 25025:225016:3 25025:22506:14 25141:7125016:12 25011:425016:3 25025:22506:14 25141:71interest					• •
individual 25078:23 25021:24 25087:23 involved 25019:4 25143:13,19 25011:4 25012:13,20 25080:11 25110:24 25164:25 25023:4,4 25025:15 25145:21 25146:23 25013:3 25026:12,14 individuals 25054:9 25166:2 25038:5 25041:22 25145:21 25146:23 25013:3 25026:12,14 25064:3 25147:25 intention 25007:17 25059:19 25078:13 25149:17 25150:1,16 judgments 25027:15 inform 25069:23 25029:20 interest 25025:12 25010:17 25029:23 25155:18,24 25156:1 Julius 25030:13 informat 25053:16 interest 25025:12 25010:17 25029:23 25157:12,21 jumping 25049:25 25072:8 25073:7 25032:7 25043:9 25123:17,24 25166:13,18 jurisprudence 25012:3 informing 25071:21 interestig 25005:8 25037:2,9 25148:11,21 25148:11,21 infringes 25010:3 25010:8 interests 25043:4 25037:2,9 25148:12,21 25148:12,21 infringes 25010:3 25010:8 interests 25043:4 25016:3 25025:2 25154:24 25087:21 25014:16 25010:8 interests 25043:4 25008:10 25011:3 25154:24 25148:11,21 25016:3 25025:2					
25080:1125110:24 25164:2525023:4,4 25025:1525145:21 25146:2325013:3 25026:12,14individuals 25054:925166:225038:5 25041:2225146:25 25149:1425027:325064:3 25147:25intention 25007:1725059:19 25078:1325149:17 25150:1,16judgments 25027:15indulgence 25088:9,1025015:5 25079:625102:19 25103:225150:21 25152:1325028:1,11inference 25077:21interchangeably25118:21 25136:2325154:23 25155:14judicial 25021:1inform 25069:2325029:20in-camera 25010:13,1525155:18,24 25156:1Julius 25030:1325127:2325030:18IPID 25114:8 25115:2425167:8,19jumping 25049:2525072:8 25073:725032:7 25043:9irregularly 25117:23I've 25011:6 25048:13justice 25019:525076:4 25102:1425128:22interesting 25005:825037:2,925148:11,2125145:13infringement 25102:2425010:825016:3 25025:22506:7 25145:11,1925145:13infringes 25010:3interefere 25007:1625026:14 25141:7JK					
individuals 25054:9 25064:3 25147:25 intention 25007:17 25015:5 25079:6 inference 25077:2125166:2 interchangeably 25029:2025038:5 25041:22 25059:19 25078:13 25102:19 25103:2 25102:19 25103:2 25102:19 25103:2 25155:18,24 25155:1425027:3 judgments 25027:15 25028:1,11information 25053:16 25127:2325029:20 interest 25025:12 25030:18interest 25025:12 25010:17 25029:2325154:23 25155:18,24 25156:1 25118:21 25136:23 25155:18,24 25156:1judicial 25021:1 25029:20 interest 25025:12 25030:18informed 25054:8 25072:8 25073:7 25076:4 25102:14interest 25015:5 25032:7 25043:9 25128:22interest 25025:12 25037:2,925136:25 25123:17,2425160:13,18 25160:13,18jumping 25049:25 junior 25013:5informing 25071:21 infringement 25102:24 25010:3interests 25005:8 25010:325037:2,9 25016:3 25025:2 25016:3 25025:2interests 25043:4 25016:3 25025:2interest 25025:12 25026:14 25141:7Julius 25008:8 25087:21infringes 25010:3 25014:16interfere 25007:1625026:14 25141:7Julius 25008:8 25087:21					
25064:3 25147:25 indulgence 25088:9,10 inference 25077:21 information 25069:23 25127:23intention 25007:17 25029:20 interest 25025:12 25030:1825059:19 25078:13 25102:19 25103:2 25118:21 25136:23 25118:21 25136:23 25155:18,24 25155:14 25155:18,24 25155:14 25155:18,24 25155:14 25155:18,24 25156:1judgments 25027:15 25028:1,11 judicial 25021:1information 25053:16 25127:2325029:20 interest 25025:12 25030:18in-camera 25010:13,15 25010:17 25029:23 25010:17 25029:2325155:18,24 25156:1 25155:18,24 25156:1Julius 25030:13 jumping 25049:25 junior 25013:5informed 25054:8 25072:8 25073:7 25076:4 25102:14 25076:4 25102:14interested 25015:5 25032:7 25043:925123:17,24 25123:17,24 irregularly 25117:23 irregularly 25117:23 irrelevant 25036:25I've 25011:6 25048:13 25056:7 25145:11,19 25148:11,21 25148:11,21 25148:11,21 25148:11,21 25087:21judicial 25021:1 Julius 25030:13 jumping 25049:25 junior 25013:5informing 25071:21 infringement 25102:24 25010:3 25011:3interests 25043:4 25016:3 25025:2 25026:14 25141:7I've 25011:6 25048:13 25154:24justify 25008:8 25087:21infringes 25010:3 25014:16interfere 25007:1625026:14 25141:7JK					
indulgence 25088:9,10 inference 25077:21 inform 25069:2325015:5 25079:6 interchangeably 25029:2025102:19 25103:2 25118:21 25136:23 25118:21 25136:2325150:21 25152:13 25154:23 25155:14 25155:18,24 25156:125028:1,11 judicial 25021:1inform 25069:23 information 25053:16 25127:2325029:20 interest 25025:12 25030:18in-camera 25010:13,15 25010:17 25029:2325155:18,24 25156:14 25156:7,8,19judicial 25021:11 judicial 25030:13informed 25054:8 25072:8 25073:7 25076:4 25102:14interested 25015:5 25032:7 25043:9 25128:2225123:17,24 irregularly 25117:23 irregularly 25117:2325160:13,18 25056:7 25145:11,19 25148:11,21 25148:11,21 25148:11,21 25154:24jumping 25049:25 junior 25013:5informing 25071:21 infringement 25102:24 25010:3interesting 25005:8 25010:325037:2,9 25016:3 25025:2 25016:3 25025:225148:11,21 25154:24justify 25008:8 25087:21infringes 25010:3 25014:16interefter 25007:1625026:14 25141:7JK					
inference 25077:21 inform 25069:23interchangeably 25029:2025118:21 25136:23 25029:2025154:23 25155:14 25155:18,24 25156:1judicial 25021:1 Julius 25030:13information 25053:16 25127:23interest 25025:12 25030:1825010:17 25029:23 25030:1825156:7,8,19 25123:17,24jumping 25049:25 jumior 25013:5informed 25054:8 25072:8 25073:7 25076:4 25102:14interested 25015:5 25032:7 25043:925123:17,24 25128:2225160:13,18 25123:17,24jurisprudence 25012:3 justice 25018:5informing 25071:21 infringement 25102:24 25010:3interesting 25005:8 25010:325037:2,9 25016:3 25025:2 25016:3 25025:225154:242518:21 25154:24infringes 25010:3 25014:16interefte 2507:1625026:14 25141:7Julius 25031:3					
inform 25069:2325029:20in-camera 25010:13,1525155:18,24 25156:1Julius 25030:13information 25053:16interest 25025:1225010:17 25029:2325156:7,8,19jumping 25049:2525127:2325030:18interested 25015:525123:17,2425160:13,18jurisprudence 25012:3informed 25054:8interested 25015:525032:7 25043:925123:17,2425160:13,18jurisprudence 25012:325076:4 25102:1425128:22irregularly 25117:23i've 25011:6 25048:13justice 25019:5informing 25071:21interesting 25005:825037:2,925148:11,2125145:13infringement 25102:2425010:8isn't 25008:10 25011:325154:2425087:21infringes 25010:3interefere 25007:1625026:14 25141:7JK	8				
information 25053:16 25127:23interest 25025:12 25030:1825010:17 25029:23 25030:1825156:7,8,19 2517:12,21jumping 25049:25 junior 25013:5informed 25054:8 25072:8 25073:7interested 25015:5 25032:7 25043:9interested 25015:5 25032:7 25043:925123:17,24 25123:17,2425160:13,18 25123:17,24jurisprudence 25012:3 justice 25013:5informing 25071:21 informing 25071:21 infringement 25102:24 25010:3interesting 25005:8 25010:325037:2,9 25016:3 25025:2 25026:14 25141:725154:242518:22 25148:11,21 25154:24infringement 25102:24 25014:16interests 25043:4 interests 2507:1625026:14 25141:7JK					•
25127:2325030:18IPID 25114:8 25115:2425157:12,21junior 25013:5informed 25054:8interested 25015:525032:7 25043:925123:17,2425160:13,18jurisprudence 25012:325076:4 25102:1425128:22irregularly 25117:23i've 25011:6 25048:13justice 25019:5informing 25071:21interesting 25005:825037:2,925148:11,21justify 25008:8infringement 25102:2425010:8interests 25043:425016:3 25025:225154:2425014:16interfere 25007:1625026:14 25141:7JK					
informed 25054:8 25072:8 25073:7 25076:4 25102:14interested 25015:5 25032:7 25043:9 25128:2225123:17,24 irregularly 25117:23 irrelevant 25036:2525160:13,18 I've 25011:6 25048:13 25056:7 25145:11,19jurisprudence 25012:3 justice 25019:5informing 25071:21 infringement 25102:24 25010:3interesting 25005:8 25010:325037:2,9 25016:3 25025:2 25016:3 25025:225148:11,21 25154:24justice 25019:5 25148:11,21 25154:24infringes 25010:3 25014:16interests 25043:4 interfere 25007:1625026:14 25141:7JK					
25072:8 25073:7 25032:7 25043:9 irregularly 25117:23 I've 25011:6 25048:13 justice 25019:5 25076:4 25102:14 25128:22 interesting 25005:8 isrelevant 25036:25 25056:7 25145:11,19 25145:13 infringement 25102:24 25010:8 isn't 25008:10 25011:3 25154:24 25087:21 infringes 25010:3 interests 25043:4 25016:3 25025:2 25154:24 25087:21 25014:16 interfere 25007:16 25026:14 25141:7 J K					
25076:4 25102:1425128:22irrelevant 25036:2525056:7 25145:11,1925145:13informing 25071:21interesting 25005:825037:2,925148:11,21justify 25008:8infringement 25102:2425010:825016:3 25025:225154:2425087:21infringes 25010:3interests 25043:425016:3 25025:225026:14 25141:7JK	/ 31 1 1 22				
informing 25071:21 interesting 25005:8 25037:2,9 25148:11,21 justify 25008:8 infringement 25102:24 25010:8 isn't 25008:10 25011:3 25154:24 25087:21 infringes 25010:3 25014:16 25026:14 25141:7 J K					
infringement 25102:24 25010:8 isn't 25008:10 25011:3 25154:24 25087:21 infringes 25010:3 interests 25043:4 25016:3 25025:2	La L				
infringes 25010:3 interests 25043:4 25016:3 25025:2 25014:16 interfere 25007:16 25026:14 25141:7					
25014:16 interfere 25007:16 25026:14 25141:7 J K				2010 1.2T	25007.21
		Prof. Ward and the second second second		J	K

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page
keep 25122:12	25080:7 25116:9	Leepile 25009:25	25141:8,15	Major 25048:1,11
kept 25112:17 25115:1	25130:19 25154:23	25011:16 25014:11	linked 25081:8,12	25049:22 25054:20
25162:1,16	25155:5,9	left 25048:8 25051:4	links 25024:6	25155:15
key 25101:1,2,13,15	known 25063:24	25054:21 25063:11	list 25140:5	majority 25139:20
25142:14	25102:25	25083:20	listed 25108:8,18	Major-General
kicking 25154:10,12	knows 25019:23	left-hand 25013:6	literally 25040:18	25047:17,21
killed 25040:24	25166:18	leg 25044:9 25143:2	25043:20	25086:23 25096:21
25051:18 25052:8	koppie 25060:24	legally 25013:14	litigation 25020:24	25105:19 25109:2
25054:9,22 25055:1	25068:25 25069:2,7,9	legislature 25007:13	25026:25 25027:9,10	25161:1,25
25055:20 25065:24	25085:13,16,19,22	25015:6	little 25018:21	making 25033:7
25133:21 25134:3,7	25086:1,2,4,4	legs 25143:1	25104:20 25122:10	25036:10 25037:21
25134:24 25136:6,18	25100:10 25118:22	lend 25012:17	live 25022:4 25061:23	25043:10 25130:13
25136:19 25137:4,7	25120:6,21 25152:16	lethal 25091:22	loaded 25071:5	25132:2
25137:18,23 25138:1	koppies 25092:15	letter 25103:14	25074:17 25076:25	manage 25161:25
25138:4,7,12,16	Kostovski 25027:22,25	25104:3,15,15	locate 25132:18	25162:1
25139:23 25140:2	K9 25058:8 25067:17	25105:11,13,18,18	25143:8 25158:21	managed 25164:12
25143:11 25146:15	25067:17 25139:7,8	25106:3,23,25	locates 25132:19	management 25090:24
25147:3	L	25107:5,14 25108:2	location 25137:5	25091:6,11,20
killers 25154:17		25113:7	25138:18	25112:7 25114:16
killings 25025:7	L 25147:4,12	letters 25106:2	logistical 25064:15	25116:11
25092:7 25113:25	lack 25050:11	let's 25020:4,4	long 25036:3 25101:3	manager 25115:9
25114:4	25082:16	25033:21 25034:3	25110:12 25165:15	manifests 25007:16
kind 25016:10	Lambert 25007:8	25041:13 25044:20	25166:8	manner 25014:18
25021:21 25041:4	Langa 25030:12,13,18	25047:19 25057:22	longer 25039:23	25016:16 25081:13
25095:8 25100:17,22	25030:21,23 25032:3	25059:20 25060:15	25110:7	25154:14
25110:2	language 25033:20	25062:10 25067:7,9	Lonmin 25059:15	manufacturers
kindly 25027:14	languages 25032:14	25073:8 25074:4,5,7	25074:21,22,25	25119:19
kneeled 25153:13	large 25074:13	25074:14 25075:14	25075:4,4,8 25077:9	March 25040:3
knew 25051:10	25077:18 25160:3	25075:19 25082:10	look 25036:24 25045:7	Marikana 25014:15
25073:15 25076:21	larger 25023:14,16	25084:3,5 25086:20	25049:23 25095:17	25054:21,23
25078:1,2	25071:19 25076:11	25089:14,15	25099:19 25101:17	25091:25 25092:7
knife 25070:6	late 25035:24	25090:14 25093:24	25119:18 25120:16	25117:14 25127:7
knock 25128:8 knocked 25130:24	latest 25025:5 latitude 25148:21	25104:21 25121:2 25124:6 25126:11	25130:4 25151:6 25155:10 25158:11	25130:1 25133:3 mark 25093:4,7,10,11
25131:1,2 25132:12	laughing 25154:15,19	25129:1 25144:16	25160:19 25161:10	25093:24 25094:15
know 25010:25	25154:20	25129.1 25144.10	looked 25039:5	marked 25088:14,15
25011:1 25014:5	law 25012:9 25014:10	25157:23 25159:2,10	looking 25013:7	25093:5,6 25094:23
25019:14.25	25014:22 25015:12	25161:10,10	looks 25097:14	marks 25106:9
25022:23 25030:25	25014:22 25015:12	level 25050:11	25100:24	mass 25080:13,23
25033:18 25036:4	25024:11 25026:7,15	Lewis 25016:11	loose 25124:3	massacre 25091:25
25040:3,17 25041:8	25026:17 25028:23	lie 25154:5	lost 25030:13	25092:7
25042:7 25047:18	25029:3,8,13	lies 25011:23	lot 25023:6 25073:23	material 25031:6
25051:6,14 25057:2	lawyers 25024:20	Lieutenant 25052:20	25080:13 25154:11	25035:14 25036:4,7,9
25058:21 25068:10	lay 25064:7	25052:22	lots 25152:20	Mathunjwa 25025:4,16
25071:3,21 25072:14	laying 25076:8	Lieutenant-Colonel	loudly 25154:15,20	25026:3
25073:18 25074:22	le 25157:10	25166:25 25167:16	low 25068:3	matter 25007:18
25077:20 25078:3	leader 25005:3 25032:7	life 25030:13 25040:18	lower 25097:1,1,5	25010:13 25014:13
25082:7 25084:21,21	25032:8,11	25043:20 25152:21	25139:19	25021:6 25026:12
25087:11 25091:10	leaders 25008:12	life-size 25023:15,16	lowest 25097:23	25030:9,18 25034:2
25091:24 25092:11	25031:5 25032:4	light 25015:4 25025:13	lucky 25153:19	25036:6,6 25039:3,16
25095:1 25096:18	25041:21 25063:18	25045:21 25097:5,6	lunch 25046:10	25040:22 25041:4,14
25099:12 25100:10	25168:9,13	likelihood 25120:22	25089:25 25090:7	25043:5,20 25045:21
25101:7 25102:6,19	leadership 25114:11	likes 25168:2	25108:24 25159:14	25046:18 25047:5
25109:9 25113:4	leading 25013:1	limine 25037:21,25	lying 25051:4 25068:3	25054:1 25066:18
25116:25 25117:19	25168:13,15	limitations 25029:1	25097:11 25134:24	25089:24 25099:19
25118:18,22 25119:5	learned 25005:3	limited 25007:8	25135:2 25136:1	25102:9 25114:7
25119:14 25120:9	25028:1 25045:4	25009:10 25026:21	25154:12	25132:14 25161:7
25121:9,13,17	25155:24	line 25054:18,18	L142 25161:10	matters 25023:4
25123:8,21 25125:14	learnt 25117:13	25060:13,15 25061:1	L67 25161:10,10	25035:16,20
25128:22 25130:24	leave 25020:4 25048:7	25061:4 25062:15		25087:21 25102:22
25133:3,4 25139:12	25073:19 25079:11	25086:11 25136:9	M	25103:12 25142:1
25139:14,18	25083:14 25133:16	25153:18	M 25088:18	25145:12 25165:11
25141:19 25144:15	25159:10,11	lines 25054:24	Mabotyana 25063:11	Matthews 25062:13,15
25145:21 25148:7	led 25060:4 25079:23	25135:20	Magidiwana 25026:12	25062:21,23
	25124 10 25155 14	B-1-05010.16 05000.5	-	Mdra 25024.15
25150:13,15 25166:8	25121:10 25155:11	link 25010:16 25023:5	main 25021:8 25078:25	Mdze 25034:15
25150:13,15 25166:8 knowledge 25073:2	25121:10 25155:11 25166:13	25038:7,9 25140:17	25111:25	mean 25008:6,17

RealTime Transcriptions

2501020 2501147 25095.3 51488 25045.3 250951 250114.2 250951 2501122 250057 mightin 25008.33 250463.1012.16 25032.2 250057 25092.2 250057 250072.2 250057 milliatting 25097.64 morning 25003.14 250074.2 2516.22 250072.2 25007.12 250072.2 2507.12					Page 10
2502:22:12:504:3 2506:72:521:62:06:12 2506:72:521:62:11:62:5 2506:72:521:62:11:62:5 2506:72:521:62:11:62:5 2506:72:52:72:521:52:11:62:5 2506:72:52:72:521:52:52:52:52:52:52:52:52:52:52:52:52:52:	25010:20 25011:1	25095:3 25148:8	25044:3,24 25045:3,8	25031:6 25032:19	number 25011:17
25052.2007.10 militarte 2507.22 25167.22 25167.22 25067.22 25067.20 25067.20 25067.20 25067.20 25067.20 25067.20 2507.11 <t< td=""><td>25013:22 25016:6</td><td>middle 25096:17</td><td>25046:3,10,12,16</td><td>25033:2 25045:1</td><td>25012:18 25013:8</td></t<>	25013:22 25016:6	middle 25096:17	25046:3,10,12,16	25033:2 25045:1	25012:18 25013:8
2506:2: 22066:7 millitating 2509:6: morting 2500:18 2507:32.7 2506:11:0: 2507:32.7 2506:12:0:10 millitating 2509:12 2519:10: 2519:10: 2507:12:0:22 2507:12:0:22 2507:12:0:22 2507:12:0:22 2519:11:10: 2507:12:0:22 2519:11:10: 2507:12:0:22 2519:11:10: 2507:12:0:22 2507:12:0:22 2507:12:0:22 2507:12:0:22 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2507:12:0:20 2518:12:0:20	25022:21 25040:3	mightn't 25048:23	25047:2 25166:12,16	25069:23 25070:21	25017:21 25018:13
2507:52.55 millimetre 25194-5 2503:14 2303:14 2303:11 2501:51.02 2501:21 2507:15.12 2510:22 2501:15.20 224 2501:41.12 2507:15.12 2501:22 2501:12 2501:22 2501:12 2501:12 2501:12 2501:12 2501:12 2501:12 2501:12 2500:12 2500:12 2500:12 2500:12 2500:12 2500:12 2500:12 2500:51:2500:62:12 2500:51:2500:62:12 2500:52:2510:14 2501:14 2501:12 2510:12 2500:12 2500:52:2510:14 2500:52:2510:14 2501:12:12 2510:12:12:12 2510:12:2510:12 2510:12:12:12:2510:23 2510:12:12:12:2510:23 2510:12:12:12:2510:23 2510:12:12:12:2510:23 2510:12:12:12:12:12:12:12:12:12:12:12:12:12:	25052:20 25057:16	militate 25017:22	25167:25 25169:14	25116:25	25049:20 25060:22
25068:10 25111:18 25132:12 25161:12 2501:21 25161:12 2501:21 25161:12 2501:21 25161:12 2501:21 25161:12 2501:21 25061:12 2511:21 25061:12 2511:21 25061:12 2511:21 25061:12 2511:21 25061:12 2515:15 251:21:25:16:23 2515:15 251:25:16:23 2515:15 251:25:16:23 2515:15 251:25:16:23 2515:15 251:25:16:23 2515:15 251:25:16:23 2516:12	25062:2 25065:7	militating 25029:6	morning 25005:18	necessity 25010:2,24	25063:9 25071:19
25113:25120:12 millimetres 25139:2 25131:251661:18 25014:19 25015:17 250764 250779-9.918 25120:212541:10 2500:13 25064:19 25016:32 25017:31 2508:12 2508:12 2508:12 2506:122 mine 25013:32 2506:12 25065:15 2506:62:2 25005:15 2506:62:2 25005:15 2506:62:2 2518:32 25111,12 2518:32 25111,12 2518:32 25111,12 2518:32 25111,12 2518:32 25111,12 2518:32 25111,12 2518:32 25111,12 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:19 2518:32 2516:33 2518:32 2516:33 2518:32 2516:33 2518:32 2516:33 2518:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:33 2516:32 2516:32 2516:33 2516:32 2516:32 2516:33 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32 2516:32	25067:25,25	millimetre 25139:4,5	25033:14 25039:11	25011:5,10 25012:1,7	25074:13,22,23
25120:21 2514:10 mind 25011:6 25016:1 25169:14 25017:32 250911:3 25081:12 250911:3 25081:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 250911:3 25082:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:12 25131:3 25131:14 2515:3 25131:16:3 71311:3 25082:29 minuter 2503:10 mortuner 2513:3 25131:11 25141:10 mumbered 2503:10 25141:12 25441:12 25141:12 25441:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12 25441:12 25141:12	25068:10 25111:18	25139:10	25047:1 25048:11,12	25012:24 25014:1,11	25075:16,19,20,25,25
25140-13 25020172 32032-0 mortuary 2506-12 reed 2508-24 25001713 25028-82 2510173 25078-82 2510173 25078-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25028-82 251073 25128-82 251073 25128-82 251073 25128-82 251073 2518-82 25118-82 51191-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5119-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-82 5118-17 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-18 25118-12 5118-12 5118-18 25118-12 5118-18	25115:13 25120:19	millimetres 25139:2	25131:2 25166:17,18	25014:19 25015:17	25076:4 25077:9,9,18
meaning 25013:18 2506122 2506122 2506123 2506133 2513123 2513123 2513123 2513123 2515123 2513123 2515123 2515123 2515123 2515123 2515123 2516163 25151633 251673 mechanism 2506314 minutes 2504343,0 moverkers 25052 251212 2514110 numbered 250134 numbered 250134 sof6141 2506713 2506713 2507733 250014 eettral 35066210 250713 2501713 250713 250714 250713 250714 250713 250713 250714 250714 250714 250714 250714 250714 250714 250714 250714 250714 250714 250714 250714 250714	25120:21 25144:10	mind 25011:6 25016:1	25169:14	25017:3,17	25081:5 25082:12
25061/22 mine 25013.3 25061:20 25065:12 2506:22 25000:19 2504:12 25107:12 2512:22 25132:12 25062:6 25085:21 miners 25033:10,17 25112:12 25119:1,17 25122:02 25133:12 25110:16 2517:33 25065:23 25006:17 25114:12 25115:23 25144:22:02 25155:12 25156:23 meant 25061:9 2516:63 minevorkers 25055:25 25112:12 2506:13 2516:16:12 2516:03 mesture 2500:13 minevorkers 2505:25 2516:16:12 510:79 minmberd 2510:37:1 2516:16:12 510:79 media 2506:14 minevs 2503:12 mover 2510:12:12 2500:17:12 2500:12 2516:14:12 2500:12:12 media 2506:14 2500:12 2500:12:12 mover 2501:12:12 2500:14:12 2500:12:12 2500:17:12 2500:12:12 media 2506:14 2500:15:12 2516:10:15 2500:16:12 2500:12 2500:17:12 2500:12:12 2500:17:12 2500:12:12 meeting 2500:5:12 2518:16:11 mover 2501:12 2516:14:12:10:15:12 2500:42:12:12:10:16:10:10:10:11:10:10:10:12:15:12:10:12 meeting 2500:5:12 miskee 2510:15:12 2516:10:15:10:15:12:10:10:10:10:11:10:10:12:15:12:10:12:10:12:12:10:12:10:10:10:10:10:12:10:10:12:10:10		25020:17 25023:20	mortuary 25064:24		25091:14 25104:22
meams 25012:2 25062:1 250552 25104:14 Motion 25034:19.20 25118:24 25119:13 25132:20 25133:1 25062 65085:1 miners 25055:0 25192:10 25132:10 25152:10:19 2500:17:21 25152:10:19 2500:17:21 2516:15 2500:17:21 2516:15 25150:10 2500:17:21:17:11:13 2500:12:12:10:20:23 2500:12:12:10:20:23 2516:15 2516:10 2500:17:22:17:12:11:13 2500:12:12:10:20:23:11:11:14 2500:12:12:11:12:11:12:11:11:11:11:11:11:11:	meaning 25013:18	25048:25 25159:1	25065:2,8,11,12,14	25017:13 25028:8	25105:3,7,10
25062:6 25085:21 miners 25033:10.17 25112:12 25167:15 25156:22 25167:15 25156:22 25167:15 25156:22 25167:15 25156:22 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:16 25167:17 25167:16 251			25065:15 25066:22		25107:24 25125:24
25110:16 25117:23 25065:23 25067:20 25132:16			-		
2512122 25006:23 25106:23 25106:23 25156:25 25156:25 25162:25					
meant 25061-9 251268 22067:20 25116:13 2510:23 reck 25037:1 2516:62 2516:03 25132:16 25147:13 minutes 2503:25 25112:12 mounted 2516:31:62 2504:13 mechanism 2502:9 Minister 25114:7 2516:46:19 2504:13 2504:13 media 2506:14 minutes 2503:22,0 2504:12 Netherlands 2508:10 2504:13 media 2506:15 2505:10 2507:7:32 2509:10 number: 2509:23 25137:23 2514:12 2502:4 missed 2510:21 2514:12 2503:14 2503:12 2504:12 2505:12 2516:12 NIU 2505:7 0ijection 2508:15:1 2506:14 Mistakenly 2515:19 Mistakenly 2515:19 Mistakenly 2515:19 NIU 2505:7 0ijection 2508:12:0 0ijection 2508:12			-		
25132:16 (25147:13) mineworkers 2505:25 (2506:17) 2514:12 25043:10 25167:6 mechanism 2502:9 Minister 25114:7 25164:51(2.2) neither 25107:9 2514:10 25048:18,23 medical 2506:17 25054:12 move 25012:12 neutrally 2509:23 2517:24 medical 2506:17 25044:11 2507:718 2507:178 2507:32 25030:17 2517:24 2505:12 2505:19 2506:61 move 25019:20 neutrally 2509:23 outrally 2509:23 meet 2507:12.1, 617 misbed 25106:15 moving 2506:10 25166:18 0ath 25047:22 25048:2 25048:2: 25086:23.24 25052:2 25172:1 2518:16 Mpembe 2503:17 newt 2501:21 0 0ath 25047:22 0ajtection 2507:18 25052:2 25150:15 Mpfama 2506:11 nistaker 25150:19 mistaker 25150:19 mistaker 2516:12 25106:12 nigtig 25057:3 0ajtection 2507:18 25062:12 2506:14 25106:14 12505:1 1igtig 2505:13 0ajtection 2507:18 0ajtection 2507:18 25111:10 25118:10 Mistaker 25150:19					
meekanism 2502:29 Dimister 25117 mounted 25163:16.22 numbere 2503:12 methanism 2502:29 minutes 2503:42.39 move 25012:12 numbere 2503:12 metical 25066:19 25044:14 25165:7 25044:14 2505:1 25077:32 2509:14 actical 25066:19 25056:19 25086:20 moved 25019:5 neutral 25066:21 25167:24 22504:12 25024:4 missed 2510:21 25147:21,24 25151:8 movement 2513:21 25137:23 25141:12 25048:25086:23,24 meeting 25050:5 25147:21,24 25151:8 movement 2513:21 25167:23 25141:12 25048:2 5508:23,2516:12 sopport missing 2507:12 25106:15 Mpofma 2508:71:1 25106:15 0jectico 2508:57.7 2510:21 mistaken 25150:15 Mpofma 2508:71:2 25091:16 objectico 2503:20 2511:41:20:22.23 mistaken 25150:19 Mistaken 2508:21 25106:10 objectico 2503:20 2509:21:20:22 mistaken 25150:19 Mistaken 2508:21 2516:10 objectico 2503:20 2509:21:20:22 mistaken 2516:12 mistaken 2508:21 2516:10 objectico 2503:20 2509:21:20:22 2508:23 <td></td> <td></td> <td></td> <td></td> <td></td>					
mechanism 25022:9 Minister 25114:7 25164:5.12.19 25164:10 numbers 25034:17 media 25063:14 25093:12.20 25093:18.20 25093:18.20 25093:18.20 media 25062:6 25066:19.20086:20 25077:23.25290:14 neutral 25066:21 0ath 25093:12 25077:23.25290:14 misbehave 25019:20 25061:14 25030:17.25117:13 0ath 25047:22.25048:1 meet 25071:21, C17 misbehave 25019:21 25061:14 25163:12 25163:12 25108:62.20 meet 25071:21, C17 misbehave 25019:21 25107:59 25147:22.2508:14 25108:62.20 25048:25.2500:71:8 25052:25053:1 mistake 2515:19 Miporba 25067:12 25091:16 objective 2515:42:0 objective 2515:42:0 25052:12.25053:1 mistake 2515:19 Miporba 25069:12 25004:12.2505:71 objective 2515:20 objective 2515:20 25059:12.25055:21 25108:4 25109:6 2509:42 2506:12 objective 2515:20 objective 2515:20 25059:12.25055:2 25114:11 25109:20 25106:13 objective 2515:21:20 objective 2515:2:20 25069:12.2505:21<					
medical 25063:14 minutes 25034:2,3.9 move 25017:12 Netherlands 25082:10 25048:18,23 medical 25066:19 25093:5,11 25044:11 25077:23 25090:14 meutrall 25066:21 neutrall 25066:21 active 25017:12,16,17 missed 25019:20 25061:4 25037:12 25177:23 25091:10 metral 25067:12 25147:22,2548:11 aceting 25005: 25147:21,24 25151:8 movement 25134:21 25137:23 25141:22 25108:23 25108:23 2506:33 amether 25005: 25137:12 251147:12,24 25151:8 movement 2504:20 2504:22:25 25111:12 objection 2507:18 25108:15 0bjection 2507:18 25108:15 0bjection 2507:12 objection 2507:12 0bjection 2507:12 25091:16 objection 2507:12 0bjection 2507:12 0bjection 2507:13 25054:20 25058:9 MIM 25088:19:21 25166:1 NU 2508:11/2 25091:16 0bjection 2507:12 0bjection 2507:12 25069:12 25058:9 MIM 25088:19:21 25109:6 2500:11/4 NU 2508:17:20 0bjection 2507:12 25073:12 25058:9 MIM 25088:19:21 murder 2514:22:3 NINA 2508:12,23 0bjection 25002:12 0bjection 25002:12 0bje					
medical 25064:19 25039:5,11 25044:11 25017:18 2507:19 neutral 2506:21 25137:24 25164:14 25165:7 25046:11 25050:1 25077:23 25090:14 neutral 25090:23 neutral 25097:23 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 25047:22 5047:22 25047:22 25047:22 5047:22 25047:22 5047:22 25047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:25 oath 25047:22 25047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:22 5047:25 oath 25047:22 5047:25 object 25077:25 25052:2 25053:1 mistake 25151:9 Mpofana 25063:11 new 25012:21 2505:24 object 2507:12 object 2507:12 25114:1 25120:23 mistaken 25151:9 Mpofana 25063:12 night 25057:18 object 2507:12 object 2507:12 25054:20 25058:9 MMM 50 25088:12 25106:1 nutree 25142:10 night 2507:13 night 2507:14 object 2507:13 25069:12 2506:524 25109:45 25109:45 25109:45 25109:42 2506:14 25142:20 2509:12 2502:45,58 25157:25 25146:6 NNNA 250351:2,3 object 2507:12 objecine 2507:12 2506:14 <t< td=""><td></td><td></td><td></td><td></td><td></td></t<>					
23514:14 25165:7 25044:11 25050:1 25077:23 25090:14 neutrally 25099:23 medium 2502:6 25056:19 25086:20 moved 25019:5 neutrally 25099:23 meeting 25001:7 missed 25106:21 movement 25134:21 25137:23 25141:22 25086:23 member 25005 25147:21,24 25151:8 movement 25134:21 25107:23 25141:22 25086:32 0bjectio 25086:37 25055:3 25136:15 Mpofu's 25087:12 25106:15 mojeran 2506:11 nevertheless 2500:17 objection 25078:18 25055:3 25106:15 Mpofu's 25087:12 25091:21 0bjection 25078:18 objection 25078:12 objection 25078:12 25114:7 25106:15 Mpofu's 25087:12 night 25025.71 objection 25078:12 objection 25078:12 25064:12 25065:12 MMM 50 25088:02 25106:16 NUL 25034:12 objection 25078:12 2509:12 25065:12 25094:12 25004:12 NNI 2508:12 objection 25078:12 2509:12 25058:20 MMM 50 25094:12 25094:12 25094:12 25092:12 2509:12 25065:12					
medium 25022:6 25056:19 25086:20 moved 25019:5 never 25017:12 O 25024:4 misbehave 25019:20 moving 25061:4 25030:17 25117:13 25047:22 25048:1 25048:2 2508:23,24 meets 25042:3 missing 2507:21 25076:9 nevertheless 2503:17 objection 2508:8;7 25052:2 2503:1 mistake 25105:15 25130:5 25118:4 objection 25078:8 25114:7 25115:23 mistake 25151:9 Mpofus 2508:12 25091:16 objection 25078:18 25114:10 25120:23 mistake 25151:9 Mpofus 2508:12 25091:16 objection 25078:18 25052:2 25065:24 25108:5 25108:1 new 25012:21, 2005:37 objection 25073:18 25059:2 125065:24 25094:1 murder 25140:6, 202 25061:14 25031:22 objection 25073:16 25094:1 25065:24 25094:1 murder 25140:6, 202 25138:25 murder 25140:2, 20 objection 25134:22 25066:12 25065:24 251094:5, 8 25157:25 25145:5, 17 25146:18 NNN 2 25034:2, 20 objection 25134:22 25066:12 25065:12 25145:5, 17 25146:18 NNN 2 25034:12, 20 obiaming 2502:13 <td></td> <td>-</td> <td></td> <td></td> <td>25137:24</td>		-			25137:24
25024:4 misbehave 25019:20 misbehave 25019:20 25061:4 25030:17 25117:13 oath 25047:22 25048:1 meeting 25007:12 25147:21,24 25151:8 moving 25061:10 25166:18 25106:23, 22 2508:23, 24 member 25005: 25147:21,24 25151:8 moving 25061:10 25166:18 25109:25, 25030:17 objection 5088:5, 7 25055:2 25051:1 25106:15 25130:5 2518:16 Mpembe 25034:20 25042:25 25111:18 objection 5088:5, 7 25114:7, 25115:23 mistake 25105:15 25156:1 NU 25059:21, 24, 25 objection 25073:6 25114:7, 25152:24 misunderstand 25156:1 Night 25027:7 objection 25073:6 25054:20 2508:9 25108:8 Mtshamba 25089:2 25060:4 25061:14, 411 observation 25073:6 25054:20 2508:9 25109:6 25109:6 25064:14 2516:1 NINX 1 25034:16, 19, 20 observation 25073:6 25054:12 2506:14 25109:6 murder 25140:6, 20, 21 2518:6:1 NINX 1 25034:16, 19, 20 observation 25073:6 25019:13 25009:17 MMMS1 25093:25 25144:10, 10, 20 25144:10, 20 25114:11, 10, 2142:7 NINX 4, 22503				e e	0
meet 25017:12.16,17 missed 25106:21 movement 25134:21 25137:23 2514:22 25048:23 2908:23,24 meets 2042:3 missing 25057:1 25147:21,24 25151:8 moving 25061:10 25166:18 object 2507:21 object 2507:21 object 2507:23 object 2507:24 object 2507:25 object 2507:24 objec					
meeting 25050:5 25147:21,24 25151:8 moving 25061:10 25166:18 25109:2,3 25161:1,2 member 25051:21 25128:16 Mpembe 25042:30 object 25074:25 25052:2 25053:1 mistake 25105:15 Mpofana 25063:11 new 75012:21 25055:24 object 2508:5;7 25114:7 25115:23 mistaken 25151:9 Mpofana 25063:11 mev 25012:21 25055:24 object 2508:3;7 25114:10 25106:15 Mpofana 25063:11 mev 25012:21 25055:24 object 25015:3 25054:2 25059:9 25188:6 Mtshamba 25089:2 25006:14 25136:9 objecr 25157:20 members 25009:9 25188:6 MtMM 25088:19,21 25109:6 25006:114 25136:9 objecr 25152:17 25054:20 25058:9 MMM 502088:12,31 murdere 25142:23 NNN1 25034:16,19,20 obtained 25001:12 25066:18 25067:17 MMM512 25095:18 murdere 25142:17 NNN1 25034:16,19,20 obtained 2502:12 25114:12 20078:8 25157:25 Z5144:11,10 25142:7 NNN4 25034:16,19,20 obtained 2502:17 25107:14 25105:25 MMM512 25095:18 murdere 25142:16,19 NNN4 25033:1,2,3 obtained 2502:17					
meets 25042:3 member 25051:21 missing 25027:21 25076:9 nevertheless 25030:17 object 25074:25 25052:2 23035:1 25128:16 Mpembe 25054:20 25042:25 25111:18 objection 25088:5,7 25052:2 23035:1 25106:15 Mpofu* 25087:12 25091:16 objection 25085:24 25114:7 mistake 25151:9 Mpofu* 25087:12 25091:16 objection 25083:12:2 25114:10 postakendy 25150:19 Mpofu* 25087:12 25061:4 25065:24 objection 25031:22 25059:12 25065:24 25061:4 25156:1 NIU 25092:12,42:5 objection 25073:6 25059:12 25065:24 25061:4 25164:6 25061:4 25061:1,4,11 observation 25073:6 25059:12 25065:24 25081:4 postake 2503:2:17 observe 25152:17 observe 25152:17 25069:12 25065:24 25104:4,58 25109:4,58 25167:5 25141:1,10 25142:7 NNN1 25034:16,19.0 obtained 25021:21 2509:12 25010:4,58 MMMS1 25098:52 25146:6 NNN4.2 25035:4 obvious 2514:12,13,19 2509:12 25012:4,58 MMMS1 25099:15 murder 25142:61,9 NNN4.2 25035:12 obvious 2514:12					
member 25051:21 2128:16 Mpembe 25054:20 25042:2 25111:18 objection 25088:57 25052:2 25053:1 mistake 25105:15 25130:5 25118:4 objection 25088:57 25053:2 32067:16 25106:15 Mpofana 25063:11 new 25012:21 25055:24 objjection 25088:57 25114:10 25120:23 mistaken 2515:19 Mpofana 25083:12 25091:16 objjection 25088:57 25121:20 misunderstand 25156:1 NIU 25059:21,24,25 observant 25157:20 members 25099:21 25065:24 25094:1 murder 25140:6,20,21 2518:82,23,24 observant 25134:22 25066:18 25067:17 MMM50 25088:23 25141:1,10 25142:23 NNN1 25034:16,19,20 obsiante 2502:17 25099:15 25102:4,5,8 25197:25 25146:6 NNN4 25034:20 25116:13 250111:2 MMM512 25095:25 murders 25142:16,19 NNN4 1 25035:1,2,3 obtaine 2502:17 2505110 MMM512 25096:17 MMM512 25095:6 murder 2502:51 nordiag 2504:22 obtaine 2502:17 2505110 MMM512 25095:19 25065:16 nodding 2504:22 obtaine 2502:17 25052:10	0		0		
25052:2 25053:1 mistake 25105:15 25130:5 25113:4 objections 25075:18 25055:3 25067:16 25106:15 Mpofana 25063:11 new 25012:21 25055:24 objective 25154:20 25114:7 25115:23 mistaken 25151:9 Mpofu's 25087:12 25091:16 objective 25154:20 25121:20 misunderstand 25156:1 NU 25059:21,24,25 observant 25157:20 25059:21 25065:24 25063:11 aurder 25140:6,20,21 25166:1 vs.2534:20 25059:21 25065:24 25094:1 murder 25140:6,20,21 25138:22,23,24 observed 2513:2:17 25073:11.23 25078:8 25109:8 25142:10 NNN 25034:16,19,20 obtained 25021:21 25073:11.23 25078:8 25157:25 25146:6 NNN4 25035:4 obviace 25144:12,13,19 25114:12 MMMS1 25095:18 25146:6 NNN4 325035:4 obviane 25024:7 memtor 25013:17.20 2095:19 25065:14 nuted 2502:51 normal 2516:20 25144:12,13,19 25142:12 5 MMMS1, 25095:19 25065:14 normal 2516:20 2503:18 25037:10 mentorioning 25053:3 MMMS1, 25095:17 <td></td> <td></td> <td></td> <td></td> <td></td>					
25053:3 25067:16 25106:15 Mpofana 25063:11 new 2501:221 25055:24 objective 25154:20 25114:10 25120:23 mistaken 25151:9 Mjofur's 25087:12 25091:16 objective 25154:20 25116:10 25120:23 mistaken 25150:19 Mjofur's 25087:12 25091:16 objective 25157:20 members 25009:9 25158:6 Mtshamba 25089:21 25060:4 25061:14,11 observati 25157:20 25056:12 25067:17 MMMS 25088:23 25191:10 (25142:7) NNN 125034:16,19,20 observe 25152:17 25073:11,23 25078:8 25109:8 25152:2,3 murder 25140:6,0,21 NNN 25034:21,25 observe 25154:22 25111:14:14 25112:23 MMMS1,1 25095:6 25144:10,2142:7 NNN 4,2 25035:4 obvious 2514:12,13,19 mention 25053:17.20 25096:18 2506:16 nodding 25042:2 obvious 2514:12,13,19 mere 25012:24 2512:3 MMMS1,2 2509:18 murder 25126:2,9 2506:12 c506:12 2506:14 2505:3 MMMS1,2 2509:17 2506:12 c506:12 c506:12 c506:12 25091:5:0 MMMS1,2 2509:18 murder 2516:20 2516:17 2506:12 2509:10					
25114:7.25115:23 mistaken 25151:9 Mpofu's 25087:12 25091:16 obligations 25031:22 25112:0 misuderstand 25156:1 NU 25089:21,24,25 observant 25157:20 25054:20 25058:9 MMM 25088:19,21 25109:6 25109:60 25060:14 25136:9 observation 25073:6 25057:12 25093:12 25198:6 Mtshamba 25089:2 25060:14 25136:9 observation 25073:6 25057:12 25093:12 2519:8 murder 25140:6,20,21 25138:22,23,24 observat 25141:21 25097:12 25109:8 25152:2,3 murder 25142:23 NNN1 25034:16,19,20 obtaining 25021:15 25111:4,14 25112:23 MMMS1.25093:25 murder 25142:23 NNN4.25035:4 obvious 25144:12,13,19 memory 25101:3 MMMS1.2 25095:19 25065:16 nodiag 25042:2 obvious 25144:12,13,19 mention 25053:17 MMMS1.2 25096:17 25089:19 25065:16 nodiag 25042:2 obvious 25144:12,13,19 mere 25012:4 2511:3 MMMS1.2 25096:17 25089:2 25065:16 nondiag 25042:2 25032:12 25025:17 mentioning 25053:10 MMMS1.5 25096:17					
25116:10 25120:23 mistakenly 25150:19 Mijamba 25152:14 night 25025:7 obliged 25015:3 25121:20 misunderstand 25156:1 NIU 25059:21,224,25 observant 25157:20 25056:12 25065:24 2509:1 25138:2 25109:6 25009:4 25065:14,411 observato 25073:1 25056:18 25067:17 MMM50 25088:23 25141:1,10 25142:7 NNN1 25034:16,19,20 obtained 25021:15 25099:12 25102:4,58 25109:8 25141:1,10 25142:7 NNN1 25034:16,19,20 obtained 25021:15 25099:12 25102:4,58 25177.5 25145:6 NNN4 25034:20,25 obtained 25021:15 25114:12 MMM51 25093:25 murders 25142:16,19 NNN4.1 25035:1,2,.3 obtained 25021:15 memory 25101:3 MMM51 25096:6 25146:6 NNN4.2 25035:5 obtained 2502:7 mention 25053:17,20 25095:19 25065:16 normal 25162:2,9 25030:18 2507:10 mormal 25053:10 MMM51,25096:4 muted 25022:5 normal 25162:2 obvious 25144:20,0,0 mentioning 25053:10 MMM51,6 25096:17 25089:2 25163:6 25041:23 25048:10 25112:15					
25121:20 misunderstand Ž5156:1 NĪU 25059:21,24,25 observant 25157:20 members 25009:9 25158:6 Mtshamba 25089:2 25064:4 25061:1,4,11 observation 25073:6 25054:20 25058:9 MMM 25088:19,21 25161:00:6 25061:4 25136:0 observed 25132:17 25066:18 25067:17 MMM50 25088:23 25141:1,10 25142:7 NNN1 25034:16,19,20 obtained 25021:21 25073:11,23 25078:1 25157:25 25145:5,17 25146:1.8 NNN2 25034:21,25 obtained 25021:21 25114:12 MMM51 25093:25 murder 25121:610 NNN4 1 25035:5 obtained 25024:7 25141:12 MMM51,2 25095:18 25163:6 NNN4,2 25035:5 obvious 25144:12,13,19 mention 25053:17,00 25095:19 25065:16 noding 25042:2 obvious 25144:12,13,19 mention 25053:10 MMM51,4 25094:22 M-T-S-H-A-M-B-A normal 25126:2.9 2503:18 25037:10 merei 25012:4 MMM51,2 25104:22,23 mime 25156:20 25163:6 2506:16 methioning 25051:10 MMM52,2 15105:4 mame 25163:0 2517:11 25132:17 25066:16 25096:17 25014:2,19 25015:17 <td></td> <td></td> <td></td> <td></td> <td></td>					
members 25009:9 25158:6 Mtshamba 25089:2 25060:4 25061:1,4,11 observation 25073:6 25054:20 25058:9 MMM 25088:19,21 25109:6 2509:1 2508:1 0bserve 25132:17 25059:12 25065:21 2509:1 2509:1 25138:223,24 observe 25132:17 2509:15 25102:4,58 25109:8 25152:2,3 murder 25140:6,20,21 25138:2034:21,25 obtained 25021:21 2509:15 25102:4,58 25157:25 25141:1,10 25142:7 NNN1 25034:1,61,920 obtaining 25021:15 25114:12 MMM51 25093:25 murders 25142:16,19 NNN4.2 25035:4 obvious 25144:12,13,19 memory 25101:3 MMM51, 25095:18 mustder 12502:51 nodding 25042:2 obvious 25144:12,0,20 mentioned 2503:17,00 25095:19 25065:16 nodding 25042:2 obvious 2503:10 mettoined 25010:2,5 MMM51,6 25096:17 2508:2 2506:12 25030:18 2503:10 mere 25012:4 25101:3 MMM52,6 25005:17 2508:2 2506:12 2506:22 2506:10 mere 25012:4 2513:3 MMM52,6 25105:4 N name 2515:20 2517:11 25132:17 2508:22 2506:12			•	8	0
25054:20 25058:9 MMM 25088:19,21 25109:6 25061:14 25136:9 observe 25152:17 25056:12 2505:21 25094:1 murder 25140:6,20,21 25138:22,23,24 observe 25134:22 25056:18 25067:17 25109:8 25152:2,3 murdered 25142:23 NNN1 25034:16,19,20 obtained 25021:21 25073:11,23 25078:8 25157:25 25145:5,17 25144:1,10 NNN2 25034:20 25116:13 25091:15 25102:4,5,8 25157:25 25145:6,17 25144:1,619 NNN3 25034:21,25 obtaining 25021:15 25111:4,14 25112:23 MMM51.1 25095:6 25146:6 NNN4.2 25035:4 obvious 25144:12,13,19 mentiong 25053:17,20 25095:19 25065:16 nodding 2504:22 obvious 25144:22,316:0 mentiong 25053:10 MMM51.4 25096:4 muted 25022:5 non 25006:23 25023:21 25025:17 mentoing 25053:10 MMM51.6 25096:17 25089:2 25163:6 25041:23 2504:29 MMM52 25104:22,23 MMM52 6 25105:8 mare 25156:20 2517:11 25132:17 25066:14 2508:13 merely 25010:5 MMM53 25125:5 25157:4 25142:23 25061:22 25066:12 25066:12 25097:19 <td></td> <td>25158:6</td> <td></td> <td></td> <td>observation 25073:6</td>		25158:6			observation 25073:6
25066:18 25067:17 MMM50 25088:23 25141:1,10 25142:7 NNN1 25034:16,19,20 obtained 25021:21 250973:11,23 25078:8 25157:25 25141:1,0 25142:23 NNN2 25034:20 25116:13 25099:15 25102:4,5,8 25157:25 25145:5,17 25146:1,8 NNN4 25034:20, 25 obtaining 25021:15 25114:12 MMM51 25095:6 murdered 25142:23 NNN4,1 25035:1,2,3 obvious 25144:12,13,19 mentiory 25010:3 MMM51,2 25095:18 25146:6 NNN4,2 25035:4 obvious 25144:12,13,19 mention 25053:17,20 25095:19 25065:16 noding 25042:2 obvious 25144:20,20 mention 25053:17 25033:3 MMM51,4 25094:22 murd 25022:5 normal 25126:2.9 25030:18 25037:10 mere 25012:4 25121:3 MMM52,4 25104:22,23 M-T-S-H-A-M-B-A normal 25126:2.9 25041:23 25048:16 mere 25012:4 25121:3 MMM52,2 5105:4 M-T-S-H-A-M-B-A 25163:6 25041:23 25048:16 mere 25012:4 25105:17 25105:17 25105:12 25056:12 25056:22 2506:12 mere 25012:4 25105:17 25130:5 name 25157:9.12 northerly 25068:12 2516	25054:20 25058:9	MMM 25088:19,21	25109:6	25061:14 25136:9	observe 25152:17
25073:11,23 25078:8 25109:8 25152:2.3 murdered 25142:23 NNN2 25034:20 25116:13 25099:15 25102:4,5,8 25157:25 25145:5,17 25146:1,8 NNN3 25034:21,25 obtaining 25021:15 25114:12 MMM51 25093:25 murdered 25142:23 NNN4.2 25035:4 obviate 25024:7 25114:12 MMM51 25095:18 25145:5,17 25146:16 NNN4.2 25035:4 obviate 25024:7 mention 25053:17,20 25095:19 25065:16 normal 25006:23 25032:12 25025:17 mention 25053:10 MMM51.4 25094:22 M-T-S-H-A-M-B-A normal 25106:51 25032:12 25025:17 mere 25012:4 25121:3 MMM52.1 25105:4 MMM52.25104:22,23 M-T-S-H-A-M-B-A 25163:6 250030:18 25037:10 mere 25012:4 25121:3 MMM52.1 25105:4 M-T-S-H-A-M-B-A 25065:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:22 2506:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12 25066:12<	25059:21 25065:24	25094:1	murder 25140:6,20,21	25138:22,23,24	observed 25134:22
25099:15 25102:4,5,8 25157:25 25145:5,17 NNN3 NNN3 25034:21,25 obtaining 25021:15 25111:4,14 MMM51 25093:25 MMM51 25093:25 NNN4.1 25035:1,2,3 obviate 25024:7 memory 25101:3 MMM51.2 25095:18 murders 25146:6 NNN4.2 25035:5 25144:20,20 mention 25053:17,20 25095:19 25065:16 noding 25006:23 25032:12 25037:10 25053:10 MMM51.4 25094:22 M-T-S-H-A-M-B-A normal 25163:6 25041:23 25030:18 25037:10 mere 25013:17 MMM52.1 25104:22,23 M-T-S-H-A-M-B-A normal 25106:21 2506:22 2506:12 25041:23 25041:23 25041:23 25061:12 25066:12 25056:22 2506:12 25066:14 25058:22 2506:14 2506:22 25061:10 2506:12 25066:14 25085:13 25107:12 25103:15 25107:12 25103:15 25107:12 25103:25 25107:12 25103	25066:18 25067:17	MMM50 25088:23	25141:1,10 25142:7	NNN1 25034:16,19,20	obtained 25021:21
25111:4,14 25112:23 25114:12 MMM51 25093:25 MMM51.2 25095:18 murders 25142:16,19 25146:6 NNN4.1 25035:1,2,3 NNN4.2 25035:4 obviate 25024:7 obvious 25144:12,13,19 memory 25101:3 mention 25053:17,20 25054:10 MMM51.2 25095:18 MM51.4 25096:4 mustn't 25025:13 mutel 25022:5 NNN4.3 25035:5 obvious 25144:12,13,19 Memory 25053:10 Merate 25053:10 MMM51.4 25094:22 MM51.6 25096:17 mutel 25022:5 normal 25126:2,9 25030:18 25037:10 Merate 25012:4 25121:3 MMM52 25104:22,23 MMM52 25104:22,23 normally 25065:12 25065:16 25096:23 25097:19 25066:14 25025:13 25121:5 MMM52 25104:22,23 MMM52 25104:22,23 normally 25065:12 25087:24 25090:9 25067:14 25086:24 25107:19 25062:12 25087:24 25090:9 25101:5 MMM53 25125:5 25157:4 25147:24 northerly 25068:24 25117:9 2508:23 25091:19 25102:15 25009:12 25132:16 MMM62 25157:9,12,15 name 25147:24 northerly 25068:24 25117:9 2508:13 25117:9 2508:12 25167:14 25168:16 occarion 25168:10 25122:9,19,21 251087:12 25143:20 note 25099:12 occarion 25168:10 occcurr 25057:15 occurr 25057:15					
25114:12 MMM51.1 25095:6 25146:6 NNN4.2 25035:4 obvious 25144:12,13,19 mentory 25101:3 MMM51.2 25095:18 25095:19 25065:16 nodding 25032:2 obvious 25144:12,13,19 25054:10 MMM51.3 25096:4 muted 25022:5 nodding 25042:2 obvious 25144:12,13,19 mentioning 25053:10 MMM51.4 25094:22 M-T-S-H-A-M-B-A normal 25126:2,9 25030:18 25037:10 mere 25012:4 25121:3 MMM52 25104:22,23 mame 25156:20 25147:24 normally 25065:12 25066:12 25066:14 25085:13 25121:5 MMM52.6 25105:8 name 25156:20 25127:11 25132:17 25087:24 25090:9 25014:2,19 25015:17 25130:5 name 25156:20 25143:23 25091:19 25102:15 2504:2,19 25015:17 25130:5 name 25167:0 25143:23 25091:19 25102:15 2504:2,19 25015:17 25130:5 narrow 25119:20 2517:1 25132:17 25066:12 2006:11 25121:18 Mohlaki 25093:15 narrow 25119:20 North-West 25034:11 25144:13 25149:18 25151:22 25151:22 25133:20 notes 25009:12 occasion 25168:10 <tr< td=""><td></td><td></td><td></td><td></td><td>obtaining 25021:15</td></tr<>					obtaining 25021:15
memory 25101:3 mention 25053:17,20 MMM51.2 25095:18 25095:19 mustn't 25025:13 25065:16 NNN4.3 25035:5 nodding 25042:2 25144:20,20 mention 25053:17,20 25095:19 25065:16 nodding 25042:2 obviously 25015:10 mentioned 25101:2,5 MMM51.4 25094:22 MrT-S-H-A-MB-A normally 25162:,9 25030:18 25037:10 mentoining 25053:10 MMM51.6 25096:17 25089:2 25163:6 25041:23 25048:16 Merafe 25052:3 MMM52 25104:22,23 mame 25156:20 25121:5 2506:23 25097:19 25066:14 25085:13 mere 25012:4 25121:3 MMM52 25105:8 name 25156:20 25127:11 25132:17 25087:24 25090:9 merely 25010:5 MMM53 25157:9,12,15 name 25147:24 northerly 25068:24 25117:9 25128:25 25020:7 25132:16 Moliba 25038:8 25161:7 25107:21 25118:17 25160:14 25122:9,19,21 25100:7,12 25101:25 25143:20 note 25009:12 occasion 25168:10 methods 25121:19,20 25088:10,10,13,15 25143:20 note 25098:12 occury 25168:2 25122:9,19,21 251561:27 25166:15 note 25008:20 occury 25168			-		
mention 25053:17,20 25095:19 25065:16 nodding 25042:2 obviously 25015:10 25054:10 MMM51,3 25096:4 muted 25022:5 non 25006:23 25023:21 25025:17 mentioning 25053:10 MMM51,6 25096:17 25089:2 Dirac 25065:12 25030:18 25037:10 mere 25012:4 25121:3 MMM52,2 5104:22,23 M-T-S-H-A-M-B-A 25065:12 25030:18 25037:10 mere 25012:4 25121:3 MMM52,2 5104:22,23 M-Mm52,2 5104:22,23 normal 25156:20 2517:11 25132:17 25087:24 25090:9 25101:5 MMM53,2 5125:5 25157:4 25143:23 25091:19 25102:15 25087:24 25090:9 25020:7 25132:16 MMM6 25157:9,12,15 narrow 25119:20 25167:14 25168:16 norte-West 25034:11 25144:13 25149:8,14 25123:9,19,21 25098:10,10,13,15 S2143:20 note 25009:12 occasion 25168:10 methods 25121:19,20 25098:10,10,13,15 S2143:20 note 25008:12 occasion 25168:10 methods 25121:19,20 25155:12 25156:21 nationwide 25118:19 25094:20 25112:16 occurred 2506:13 methods 25121:19,20 25155:12 25156:21 nationwide 25118					
25054:10 MMM51.3 25096:4 muted 25022:5 non 25006:23 25023:21 25025:17 mentioning 25053:10 MMM51.4 25094:22 M-T-S-H-A-M-B-A normal 25126:2.9 25030:18 25037:10 Merafe 25053:3 MMM52 25104:22,23 25089:2 normally 25065:12 25066:23 25066:22 25067:19 25066:22 25067:19 25066:12 25056:12 25066:12 25065:12 25066:12 25097:19 25066:12 25097:19 25066:14 25085:13 mere 25012:4 25101:5 MMM53 25125:5 25157:4 25143:23 25091:19 25102:15 25014:2,19 25015:17 25130:5 name 25156:20 2517:11 25132:17 25087:24 25090:9 mere 25012:4 25121:3 MMM62 25157:9,12,15 narrow 25119:20 North-West 25034:11 25107:21 25118:17 25103:16 Mohlaki 25093:15 narrow 25119:20 Noth-West 25034:11 25164:12 25107:21 25118:17 method 25121:19,20 25098:10,10,13,15 25142:22 25143:9,14 25167:12 25168:16 occurred 2506:13 methods 25121:19,20 25098:10,10,13,15 25142:22 25143:9,14 25167:12 25168:16 occurred 2506:13 methods 2506:20 Molagoanyane 25142:22 25143:9,14 <td></td> <td></td> <td></td> <td></td> <td></td>					
mentioned 25101:2,5 mentioning 25053:10 MMM51.4 25094:22 MMM52 25104:22,23 M-T-S-H-A-M-B-A 25089:2 normal 25126:2,9 25163:6 25030:18 25037:10 Merafe 25053:30 MMM52 25104:22,23 MMM52 25104:22,23 MMM52 25104:22,23 normally 25065:12 25056:22 25061:10 mere 25012:4 25121:3 MMM52 05105:4 normal 25156:20 25096:23 25097:19 25066:14 25085:13 merely 25010:5 MMM53 25125:5 25157:4 25143:23 25091:19 25102:15 25020:7 25132:16 MMM6 25157:9,12,15 name 25147:24 northerly 25068:24 25117:9 25128:25 25020:7 25132:16 MMM6 25157:9,12,15 narrow 25119:20 North-West 25034:11 25144:13 25149:8,14 25122:9,19,21 25098:10,10,13,15 25142:22 25143:9,14 25167:14 25168:16 occasion 25168:10 method 25121:19,20 25098:10,10,13,15 25142:22 25143:9,14 25167:14 25168:16 occur 25057:15 method 25121:18 25154:22 national 25050:6 note 25009:12 occur 25061:3 method 2506:25 25155:12 25156:21 25143:20 note 25088:20 occur 25051:3 method 2506:25 25096:55 nooment 2506:26 <				0	-
mentioning 25053:10 Merafe 25053:3 mere 25012:4 25121:3 25121:5 merely 25010:5 25014:2,19 25015:17 25020:7 25132:16 method 25121:30 method 25121:18 method 2506:25 moment 2506:20 moment 2506:21 moment 2506:25 moment 2506:25 moment 2506:30 moment 25003:13 25009:12 25100:325129:8 moment 25003:13 25019:10 25026:13 moment 25034:9 25101:3,3 25013:10 25101:3,3 25013:10 25104:13 moment 25034:9 25101:3,3 25013:17 25103:17,22,23,23 Ntsebeza 25140:9 0fft ad 25139:17 25103:17,22,23,23 Ntsebeza 25140:9 0fft ad 25139:17					
Merafe 25053:3 mere 25012:4 25121:3 25121:5 MMM52 25104:22,23 MMM52.1 25105:4 normally 25065:12 25096:23 25097:19 25127:11 25132:17 25056:22 2506:110 25087:24 25085:13 merely 25010:5 MMM53 25125:5 25157:4 25143:23 25091:19 25102:15 25014:2,19 25015:17 25130:5 name 25147:24 northerly 25068:24 25143:23 25091:19 25102:15 25020:7 25132:16 MMM6 25157:9,12,15 names 25147:24 northerly 25068:24 25143:23 25144:13 25149:8,14 25158:8 25160:9 Modiba 25058:8 25161:7 North-West 25034:11 25160:14 25168:10 met 25063:16 Mohlaki 25093:15 National 25050:6 note 25009:12 0ccasion 25168:10 25122:9,19,21 25100:7,12 25101:25 25143:20 notes 25088:20 occury 25168:2 meting 25050:20 Molangoanyane 25118:21 25157:1 25160:20 25099:3 25109:24 metrog 25006:25 25025:25 25096:5,8 meessarily 25062:1,6 Notice 25034:19,20 25113:11 25158:23 25007:5 25017:5 25025:25 25096:5,8 meessary 25010:5,13 0-one 25019:23 25165:6 250026:23 25028:12 25042:7,15 25043:5 <td></td> <td></td> <td></td> <td></td> <td></td>					
mere 25012:4 25121:3 25121:5MMM52.1 25105:4 MMM52.6 25105:8N25096:23 25097:19 25127:11 25132:17 25087:24 25090:925066:14 25085:13 25087:24 25090:9merely 25010:5MMM53 25125:525157:425127:11 25132:17 25130:525087:24 25090:925014:2,19 25015:1725130:5name 25147:24 narrow 25119:20northerly 25068:24 25107:21 25118:1725117:9 25128:2525020: 7 25132:16MMM6 25157:9,12,15 Modiba 25058:8narrow 25119:20 2516:7northerly 25068:24 25107:21 25118:1725144:13 25149:8,14 25160:1425158: 8 25160:9Modiba 25058:8 25098:10,10,13,1525142:22 25143:9,14 25142:22 25143:9,1425107:12 25118:17 25167:14 25168:16 note 25009:12occasion 25168:10 occury 25168:2method 25121:19,2025100:7,12 25101:25 25102:7,12 25101:2525143:20 25142:22 25143:9,14notes 25088:20 25167:14 25168:16 notes 25088:20occur 25057:15 occur 25057:15methods 25121:18 metneg 25050:20Molangoanyane 25118:2125118:19 25155:12 25156:21 25105:2525106:15 100:3 25129:8 25105:25Notice 25034:19,20 25157:1 25160:2025109:3 25109:24 25197:1Michelin 25028:19 25007:2 25017:5 25007:5 25017:525155:2 25006:5,8 25007:25007:5525025:2 5096:5,8 25013:37,22,23,23November 25053:21 0513:17,22,23,23occur 2503:21 05140:1305fer 25033:16 25003:13 25003:1325011:3,3 25013:10 25013:17,22,23,2305fer 2503:21 05fer 2503:21offer 25033:6 05fer 2503:2125026:23 25028:12 25030:6 25054:1425042:7,15 25043:525019:16 25029:225155:25 <td></td> <td></td> <td>23089:2</td> <td></td> <td></td>			23089:2		
25121:5MMM52.6 25105:8name 25156:2025127:11 25132:1725087:24 25090:9merely 25010:5MMM53 25125:525157:425143:2325091:19 25102:1525020:7 25132:16MMM6 25157:9,12,15names 25147:24northerly 25068:2425117:9 25128:2525020:7 25132:16MMM6 25157:9,12,15narrow 25119:20North-West 25034:1125144:13 25149:8,1425158:8 25160:9Modiba 25058:825161:725107:21 25118:1725160:14met 025063:16Mohlaki 25093:15National 25050:6note 25009:12occasion 25168:10method 25121:19,2025098:10,10,13,1525142:22 25143:9,1425167:14 25168:16occury 25168:225122:9,19,2125100:7,12 25101:2525143:20notes 25088:20occur 25057:15methods 25121:1825154:22nationwide 25118:1925094:20 25112:16occurred 25061:3meting 25050:20Molangoanyane25118:2125157:1 2516:2125109:24meters 25085:2225155:12 25156:21neetsarily 25062:1,6notice 25034:19,2025113:11 25158:2325007:5 25017:525025:25 25096:5,8necessarily 25062:1,6noticed 25062:1725165:6microphone 25006:25moments 25034:925111:3,3 25013:1025140:13offered 2503:625007:5 25017:525025:25 25096:5,8necessary 25010:5,130ffered 2503:6offfred 2503:625026:23 25026:13moments 25034:925011:3,3 25013:1025140:13offfred 2503:625007:5 25017:525025:25 25096:5,8no-one 25019:23offfred 2503:6offfred 250		· · · · · · · · · · · · · · · · · · ·	N		
merely 25010:5MMM53 25125:525157:425143:2325091:19 25102:1525014:2,19 25015:1725130:5names 25147:24northerly 25068:2425117:9 25128:2525020:7 25132:16MMM6 25157:9,12,15narrow 25119:20North-West 25034:1125144:13 25149:8,1425158:8 25160:9Modiba 25058:825161:725107:21 25118:1725160:14met 25063:16Mohlaki 25093:15National 25050:6note 25009:12occasion 25168:10method 25121:19,2025098:10,10,13,1525142:22 25143:9,1425167:14 25168:16occurp 25168:225122:9,19,2125100:7,12 25101:2525143:20notes 25088:20occurred 25057:15methods 25121:1825154:22nationwide 25118:1925094:20 25112:16occurred 25061:3metres 25085:2225155:12 25156:21neatly 25166:15Notice 25034:19,2025113:11 25158:23Michelin 25028:1925156:22 25157:5necessarily 25062:1,6noticed 25062:1725165:6microphone 25006:25moment 25016:2025100:3 25129:8November 25053:21occurring 25007:2525007:5 25017:525025:25 25096:5,8necessary 25010:5,13no-one 25019:23offered 25045:1625019:10 25026:13moments 25034:925011:3,3 25013:1025140:13offered 25045:1625026:23 25028:12Monday 25030:1325013:17,22,23,23Ntsebeza 25140:9offhand 25139:1725030:6 25054:1425042:7,15 25043:525019:16 25029:225155:2525159:21					
25014:2,19 25015:1725130:5names 25147:24northerly 25068:2425117:9 25128:2525020:7 25132:16MMM6 25157:9,12,15narrow 25119:20North-West 25034:1125144:13 25149:8,1425158:8 25160:9Modiba 25058:825161:725107:21 25118:1725160:14met 25063:16Mohlaki 25093:15National 25050:6note 25009:12occasion 25168:10method 25121:19,2025098:10,10,13,1525142:22 25143:9,1425167:14 25168:16occupy 25168:225122:9,19,2125100:7,12 25101:2525143:20notes 25088:20occur 25057:15methods 25121:1825154:22nationwide 25118:1925094:20 25112:16occurred 25061:3metres 25085:2225155:12 25156:21neatly 25166:15Notice 25034:19,2025113:11 25158:23Michelin 25028:1925156:22 25157:5necessarily 25062:1,6noticed 25062:1725165:6microphone 25006:2525025:25 25096:5,8necessary 25010:5,130.511:3,3 25013:1025140:13offered 2503:2125026:23 25028:12Monday 25030:1325011:3,3 25013:1025140:13offered 25045:16offered 25045:1625026:23 25028:12Monday 25030:1325013:17,22,23,23Ntsebeza 25140:9offhand 25139:1725030:6 25054:1425042:7,15 25043:525019:16 25029:225155:2525159:21					
25020:7 25132:16 25158:8 25160:9MMM6 25157:9,12,15 Modiba 25058:8narrow 25119:20 25161:7North-West 25034:11 25107:21 25118:1725144:13 25149:8,14 25100:12met 25063:16 method 25121:19,20 25122:9,19,21Mohlaki 25093:15 25100:7,12 25101:25National 25050:6 25142:22 25143:9,14 25142:22 25143:9,14note 25009:12 25167:14 25168:16 notes 25088:20occasion 25168:10 occury 25168:2methods 25121:18 methods 25121:18Z5154:22 25154:22nationwide 25118:19 25118:1925094:20 25112:16 25197:1 25160:20occurred 25061:3 25099:3 25109:24metres 25085:22 Michelin 25028:19Z5155:12 25156:21 25156:22 25157:5neetsy 25166:15 25100:3 25129:8 25100:3 25129:8Notice 25034:19,20 25113:1025113:11 25188:23 25165:6microphone 25006;25 25007:5 25017:5moment 25016:20 25025:25 25096:5,8 25026:23 25028:12Z5011:3,3 25013:10 25013:17,22,23,23Ntsebeza 25140:9 25140:13offered 25045:16 offhand 25139:17 25159:21	·				
25158:8 25160:9 met 25063:16 25122:9,19,21Modiba 25058:8 Mohlaki 25093:15 25098:10,10,13,15 25100:7,12 25101:2525161:7 National 25050:6 25142:22 25143:9,14 25143:2025107:21 25118:17 note 25009:12 25167:14 25168:16 notes 25088:2025160:14 occasion 25168:10 occurp 25168:2 occur 25057:15methods 25121:18 methods 25121:18 metng 25050:20Molangoanyane 25154:2225143:20 nationwide 25118:19 25118:2125094:20 25112:16 25094:20 25112:16occurred 25061:3 25099:3 25109:24metres 25085:22 Michelin 25028:19 25007:5 25017:5Z5155:12 25156:21 25156:22 25157:5neatly 25166:15 25100:3 25129:8 necessarily 25062:1,6 25100:3 25129:8Notice 25034:19,20 25118:1025113:11 25158:23 25165:21microphone 25006:25 25007:5 25017:5moment 25016:20 25025:25 25096:5,8 Monday 25030:13Z5011:3,3 25013:10 25013:17,22,23,23Ntsebeza 25140:9 25140:13offered 25045:16 offhand 25139:17 25139:1725030:6 25054:1425042:7,15 25043:525019:16 25029:225155:2525159:21				-	
met 25063:16 method 25121:19,20 25122:9,19,21Mohlaki 25093:15 25098:10,10,13,15 25100:7,12 25101:25National 25050:6 25142:22 25143:9,14 25143:20note 25009:12 25167:14 25168:16 notes 25088:20occasion 25168:10 occupy 25168:2 occur 25057:15methods 25121:18 methods 25050:20Molangoanyane 2515:12 25156:21 25156:22 25157:5251318:19 25166:1525094:20 25112:16 25094:20 25112:16occur 25057:15 occur 25091:2Michelin 25028:19 25007:5 25017:525155:12 25156:21 2516:22 25157:5neatly 25166:15 25100:3 25129:8Notice 25034:19,20 25110:3 25129:825165:6microphone 25006:25 25007:5 25017:5moment 25016:20 25025:25 25096:5,825011:3,3 25013:10 25013:17,22,23,23November 25053:21 25140:13occurring 25007:25 0ffer 25033:625026:23 25028:12 25030:6 25054:14Monday 25030:13 25042:7,15 25043:525013:17,22,23,23 25019:16 25029:2Ntsebeza 25140:9 25155:25offhand 25139:17 25159:21					
method 25121:19,20 25122:9,19,2125098:10,10,13,15 25100:7,12 25101:2525142:22 25143:9,14 25143:2025167:14 25168:16 notes 25088:20occupy 25168:2 occur 25057:15methods 25121:18 meting 25050:20Molangoanyane 2515:12 25156:2125118:19 25118:2125094:20 25112:16 25157:1 25160:20occurred 25061:3 25094:20 25112:16Michelin 25028:19 25007:5 25017:525156:22 25157:5 moment 25016:20neatly 25166:15 25100:3 25129:8 25017:5 25017:5Notice 25034:19,20 25110:3 25129:8 25017:3,3 25013:1025140:13 25140:130ccurring 25007:25 0562:16Mondary 25030:13 25026:23 25028:12 25030:6 25054:14Mondary 25030:13 25042:7,15 25043:525011:3,3 25013:10 25019:16 25029:225155:250ccurring 2503:10 25155:25					
25122:9,19,21 25100:7,12 25101:25 25143:20 notes 25088:20 occur 25057:15 methods 25121:18 25154:22 nationwide 25118:19 25094:20 25112:16 25099:3 25109:24 metres 25085:22 Molangoanyane 25118:21 notice 25034:19,20 25113:11 25158:23 Michelin 25028:19 25156:22 25157:5 necessarily 25062:1,6 Notice 25034:19,20 25113:11 25158:23 25007:5 25017:5 moment 25016:20 25100:3 25129:8 no-one 25005:21 occurring 25007:25 25019:10 25026:13 moments 25034:9 25011:3,3 25013:10 25140:13 0ffered 25045:16 25026:23 25028:12 Monday 25030:13 25013:17,22,23,23 Ntsebeza 25140:9 offhand 25139:17 25030:6 25054:14 25042:7,15 25043:5 25019:16 25029:2 25155:25 25155:25					
meting 25050:20Molangoanyane25118:2125157:1 25160:2025099:3 25109:24metres 25085:2225155:12 25156:21neatly 25166:15Notice 25034:19,2025113:11 25158:23Michelin 25028:1925156:22 25157:5necessarily 25062:1,6Notice 25034:19,2025165:6microphone 25006:25moment 25016:2025100:3 25129:8no-one 25019:23occurring 25007:2525007:5 25017:525025:25 25096:5,8necessary 25010:5,13no-one 25019:23offered 25045:1625026:23 25028:12Monday 25030:1325011:3,3 25013:1025140:13offered 25045:1625030:6 25054:14Z5042:7,15 25043:525019:16 25029:2Z5155:2525159:21	25122:9,19,21				
metres 25085:2225155:12 25156:21neatly 25166:15Notice 25034:19,2025113:11 25158:23Michelin 25028:1925156:22 25157:5necessarily 25062:1,6Notice 25034:19,2025113:11 25158:23microphone 25006:2525025:25 25096:5,8necessarily 25062:1,6November 25053:21occurring 25007:2525019:10 25026:13moments 25034:925011:3,3 25013:1025110:3,3 25013:1025140:13offered 25045:1625026:23 25028:12Monday 25030:1325013:17,22,23,23Ntsebeza 25140:9offhand 25139:1725030:6 25054:1425042:7,15 25043:525019:16 25029:225155:2525155:25					
Michelin 25028:1925156:22 25157:5necessarily 25062:1,6noticed 25062:1725165:6microphone 25006:25moment 25016:2025100:3 25129:8no-one 25019:23occurring 25007:2525007:5 25017:525025:25 25096:5,8necessary 25010:5,13no-one 25019:23offered 2503:625026:23 25028:12Monday 25030:1325011:3,3 25013:1025140:13ntsebeza 25140:9offhand 25139:1725030:6 25054:1425042:7,15 25043:525019:16 25029:225155:2525155:2525159:21					
microphone 25006:25 25007:5 25017:5moment 25016:20 25025:25 25096:5,8 moments 25034:925100:3 25129:8 necessary 25010:5,13 25011:3,3 25013:10November 25053:21 no-one 25019:23 25140:13occurring 25007:25 offer 25033:625026:23 25028:12 25030:6 25054:14Monday 25030:13 25042:7,15 25043:525101:3,3 25013:10 25013:17,22,23,23 25019:16 25029:2November 25053:21 no-one 25019:23 25140:13occurring 25007:25 offer 25033:6Monday 25030:13 25030:6 25054:1425042:7,15 25043:525019:16 25029:2 25019:16 25029:225155:2525159:21	/ 31 1 1 22				
25007:5 25017:5 25019:10 25026:1325025:25 25096:5,8 moments 25034:9necessary 25010:5,13 25011:3,3 25013:10no-one 25019:23 25011:3,3 25013:10offer 25033:6 offered 25045:1625026:23 25028:12 25030:6 25054:14Monday 25030:13 25042:7,15 25043:525011:3,3 25013:10 25013:17,22,23,23 25019:16 25029:2Ntsebeza 25140:9 25155:25offered 25045:16 offhand 25139:17 25159:21	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1				
25019:10 25026:13 25026:23 25028:12 25030:6 25054:14moments 25034:9 Monday 25030:1325011:3,3 25013:10 25013:17,22,23,23 25019:16 25029:225140:13 Ntsebeza 25140:9 25155:25offered 25045:16 offhand 25139:17 25159:21					
25026:23 25028:12 25030:6 25054:14Monday 25030:13 25042:7,15 25043:525013:17,22,23,23 25019:16 25029:2Ntsebeza 25140:9 25155:25offhand 25139:17 25159:21			÷		
25030:6 25054:14 25042:7,15 25043:5 25019:16 25029:2 25155:25 25159:21					
	The most of a second second the				
	25050:0 25054:14	25042:7,15 25043:5	23019:10 23029:2	23133.23	23137.21

RealTime Transcriptions

Marikana Commission of Inquiry

				Page 1
officer 25068:16	ordinary 25012:1	25100:4 25123:22	25024:24 25025:3	25022:7 25023:25
25127:5,6,12,19,24	25017:15	25124:9 25154:10	25065:7 25067:10,16	25024:13 25025:1,19
25127:25 25128:14	original 25053:20,24	participants 25079:12	personnel 25054:22	25025:21,22 25026:7
25128:16,18 25129:6	25054:11 25057:25	participate 25030:22	25055:19 25092:15	25026:20 25027:5
25129:12,13,19,23	25091:10	25082:1	25142:15	25029:17 25031:9
25130:1 25132:23	originals 25093:13	participated 25082:4	persons 25020:22,23	25032:16 25034:4
		particular 25010:20	25024:17 25025:3	
officers 25051:18	ought 25006:7	-		25036:23 25037:20
25054:25	outcome 25113:14	25011:15,25	25066:1,2 25071:23	25037:21 25038:12
officer's 25132:23	outline 25077:6	25020:10 25021:25	25136:6,18,19	25039:7,19,25
25133:5	outset 25006:14	25079:16 25102:14	25137:3 25140:2	25040:11 25042:23
official 25102:24	outside 25054:18	25110:23 25113:11	25143:24 25144:4	25042:25 25043:8,10
25158:9	25074:13 25102:21	25115:3 25121:20	25146:6	25043:25 25051:9
officials 25113:16	25169:11	25126:1,3 25134:11	person's 25011:1	25055:10 25056:3
25140:5	overseas 25022:13	25136:8 25156:9	25022:14 25026:10	25061:21 25074:8
oh 25013:3 25040:12	overturned 25027:4	particularly 25024:14	pertain 25058:20	25083:14 25086:15
25069:3 25075:25	o'clock 25047:6	parties 25008:3,13	25132:24	25094:9,10 25096:6,6
25095:1 25096:9	25108:11 25132:7	25024:13,15	pertains 25162:20	25108:15,22
25103:24 25137:14	25169:14	25029:10,19,23	petrol 25154:16	25109:10 25111:13
25137:20 25151:16		25030:10 25033:13	photo 25023:11	25116:2 25119:3,6
25157:4,17	P	25033:25 25035:6	25093:3 25094:2	25128:16 25130:13
old 25112:4	page 25005:23	25046:24 25099:21	photograph 25095:21	25130:24 25131:14
oldest 25121:23	25006:11,19 25009:5	25167:7 25168:6	25096:5,17 25097:3	25131:15 25135:9
omega 25039:6	25011:9,22 25012:22	parts 25037:11	photographs 25093:18	25136:4 25148:9
omitted 25030:8	25012:23 25013:4,7,8	party 25027:3	25097:23 25098:4,8	25149:5,21 25150:10
once 25116:5 25118:11	25012:123 25015:1,7,8	25030:11,22 25032:4	25098:14 25099:1	25153:20 25155:25
ones 25071:13 25084:4	25020:20,20 25021:7	25032:19	25100:7,11 25101:14	25156:24 25159:10
25084:5 25085:11	25020:20,20 25021.7 25024:11 25027:19	PAS 25108:3,5	25100:7,11 25101:14	25160:22
onus 25007:23 25008:3	25054:16 25060:8	passage 25011:15	photos 25092:25	pointed 25043:8
25008:4,18,20,25	25093:3 25096:3	25013:25 25014:4	25096:3	25118:15 25154:25
onwards 25057:4	25104:15,17,20	25027:8 25055:4,9,18	phrase 25165:13	25156:16
open 25008:2 25027:6	25124:3 25134:12	25135:7,10,11,21	picture 25023:22	pointing 25158:8,25
25033:12 25074:13	25135:13,16	passages 25005:22	25113:18	25161:23
25154:5	25152:11	path 25056:7	pictures 25108:19	points 25020:15
operates 25019:11	pages 25094:13	pause 25152:25	piece 25033:23	25022:25 25028:5
operating 25089:18	pangas 25134:25	Pelechowski 25013:1	pieces 25098:5,5	25036:18,20
operation 25056:17	papers 25043:24	25013:10	pile 25080:11 25104:7	25037:25 25041:4,24
25129:25 25143:1	25044:13,25	pellets 25097:17,20	Pillay 25012:13	25042:23 25048:8
			č	
operational 25091:3	25045:22	25112:23,24 25119:4	25014:24 25015:8	25148:22,22
25092:18 25162:2	para 25013:22	pen 25106:20	25034:22 25166:14	police 25019:21
25163:8	25027:25	perceived 25151:14	25166:24	25021:24 25041:25
operations 25064:9	paragraph 25006:19	performance 25019:6	pistol 25139:16	25042:14 25045:5
operator 25124:2	25007:12 25009:5,15	period 25110:16	place 25030:10 25058:1	25046:16 25047:2
operators 25095:1	25011:9,22 25013:9	25117:4 25118:3	25071:20 25073:20	25050:20 25051:8,18
opponent 25021:10,11	25018:12,22 25019:2	25132:9 25167:2	25074:22 25084:18	25053:3 25054:22,25
opponents 25045:4	25021:7 25024:12	permanently 25125:23	25096:24 25099:25	25055:19 25063:23
opportunity 25013:4	25025:20 25026:6	permission 25032:4	25128:17 25146:14	25064:2 25065:24
25021:10,22 25031:1	25025:20 25020.0	25148:13,20 25149:3	25153:9 25167:24	25066:1,18 25071:6
25039:4 25041:23,25	25027:20,22,24	25149:23 25166:5	placed 25076:10,11	25074:6 25076:1,8,19
25045:22 25046:16		permitted 25167:20	25110:6 25111:7	25076:23 25077:5
	25052:17 25053:9,17	-		
25047:3	25054:3,15,24,25	permutation 25120:15	25164:5,6,20	25078:3 25079:24
opposing 25008:3,13	25055:17,22,23,24	perpetrators 25142:16	placing 25076:19	25099:15 25100:13
25033:25 25034:21	25089:14 25134:15	person 25018:16	plan 25064:15	25102:5,8,24 25110:9
25034:23 25046:24	25134:15,20 25135:6	25020:2 25021:6	25100:18,25	25112:24,25
order 25008:7,9	25152:4,15 25154:1	25022:24 25065:15	plans 25064:11	25114:10,12
25012:16 25023:19	paragraphed 25053:24	25065:21 25066:13	play 25163:12,14	25120:23 25121:7,10
25023:24 25043:4,24	paragraphs 25005:24	25066:23 25069:23	pleadings 25035:19,21	25121:14 25122:6,7
25046:7 25059:21	25009:4 25013:9	25072:3 25076:16	please 25016:21	25122:12,15,18
25061:21 25062:4	25028:18,22 25152:9	25072:15 25070:10	25049:25 25084:19	25122:12,15,10
	paramount 25012:2	25080:8 25081:12	25086:15 25109:15	25143:22 25144:8
25001.17 25110.7				
25094:17 25110:7		25002.10 25122.12		25146:1 25150:17
25114:18 25122:6,15	Pardon 25062:14	25083:12 25132:13	25137:9 25149:10	
25114:18 25122:6,15 25122:18 25143:3	Pardon 25 062:14 part 25010 :15,17	25132:14 25138:1,4	25155:16	25158:9,10 25160:1
25114:18 25122:6,15 25122:18 25143:3 25168:7	Pardon 25062:14 part 25010:15,17 25013:9,16 25029:25	25132:14 25138:1,4 25140:12 25156:10	25155:16 point 25006:16,22	25158:9,10 25160:1 25168:1
25114:18 25122:6,15 25122:18 25143:3 25168:7 ordered 25066:22	Pardon 25062:14 part 25010:15,17 25013:9,16 25029:25 25034:15 25040:4	25132:14 25138:1,4 25140:12 25156:10 25156:18	25155:16 point 25006:16,22 25008:11,20,23,25	25158:9,10 25160:1 25168:1 policeman 25051:7,14
25114:18 25122:6,15 25122:18 25143:3 25168:7	Pardon 25062:14 part 25010:15,17 25013:9,16 25029:25	25132:14 25138:1,4 25140:12 25156:10	25155:16 point 25006:16,22	25158:9,10 25160:1 25168:1
25114:18 25122:6,15 25122:18 25143:3 25168:7 ordered 25066:22	Pardon 25062:14 part 25010:15,17 25013:9,16 25029:25 25034:15 25040:4	25132:14 25138:1,4 25140:12 25156:10 25156:18	25155:16 point 25006:16,22 25008:11,20,23,25	25158:9,10 25160:1 25168:1 policeman 25051:7,14
25114:18 25122:6,15 25122:18 25143:3 25168:7 ordered 25066:22 25154:5	Pardon 25062:14 part 25010:15,17 25013:9,16 25029:25 25034:15 25040:4 25058:5 25085:3	25132:14 25138:1,4 25140:12 25156:10 25156:18 personal 25021:14	25155:16 point 25006:16,22 25008:11,20,23,25 25009:15 25010:9	25158:9,10 25160:1 25168:1 policeman 25051:7,14 25052:5,7,8,15,21

				Page
policemen 25051:3	practice 25126:21	procedure 25019:9	25100:25	question 25006:15,17
25056:19 25073:18	25148:18	25069:23 25070:2	province 25034:11	25007:21 25009:3,3
25073:22 25076:12	practitioners 25019:21	proceed 25016:21	25107:21 25119:6	25009:22 25012:2
25082:18 25142:24	precisely 25016:4	25033:23 25042:14	provinces 25118:18,22	25021:19,19
25146:8,10 25150:18	Preez 25027:2	25109:15	25118:25	25024:12 25029:24
25151:24 25153:20	prefaced 25149:13,14	proceeded 25134:5	provincial 25034:10	25030:4 25042:2,4
25153:22 25154:9,11	pregnant 25011:1,2,2	proceedings 25005:1	25054:19 25107:15	25044:2,24 25045:3
				-
police's 25143:4	prejudice 25090:6	25010:4 25018:5,15	provision 25007:14,16	25057:7,8,11 25061:1
policies 25091:13,13,16	prejudicial 25026:9	25018:23 25019:14	25007:20 25015:2	25061:8 25066:21
policing 25091:13	premeditated 25063:23	25030:22 25036:4	25070:2	25072:25,25 25073:1
Pollock 25010:10	prepare 25042:12	process 25026:8	provisionally 25026:22	25079:16 25095:2
25012:25 25013:12	25166:11	25073:7,24 25077:4,6	provisioning 25108:6	25099:23 25102:1
25013:21	prepared 25031:8,9	25077:11,18	proximity 25164:20	25112:10 25122:18
POP 25107:20 25108:4	25107:5	25083:11 25084:17	Pty 25007:7	25129:1 25130:21
25111:14,24	presence 25017:2	25111:12 25112:2	public 25018:15	25145:16,24
POPS 25112:2	25019:20	25113:15,21 25117:6	25019:7,9,13	25149:13,15 25163:4
portion 25045:17	present 25020:24	-	25020:25 25029:23	25163:11
-	-	25117:12,13		
portions 25005:25	25025:6 25032:17	25128:18,19	25042:8,11 25122:6	questionable 25025:18
25158:4	25076:15 25088:1	25129:25 25139:24	25122:15,17 25140:5	questioning 25074:5
position 25024:22	presentation 25148:4	25145:20 25146:11	25143:3	25165:18
25025:2,14 25029:14	presented 25147:16	25149:10 25155:6	publicity 25010:4	questions 25017:1
25090:15,21 25162:5	presenters 25029:18	processed 25071:21	25011:25 25018:23	25021:14 25116:2
25164:7 25168:1	press 25019:12,19	25077:2 25081:1	25019:1,4 25020:9,13	25133:10 25149:1
positions 25161:19	presumably 25015:1	processes 25075:6	25021:3 25026:20,21	25161:7
positively 25071:16	25019:15 25042:24	processing 25071:19	25027:6,13 25029:1,8	quibbled 25036:2
25072:4,8	25069:14 25101:25	25075:6 25077:1,4	purport 25035:11	quick 25036:24
,				-
possession 25076:17,22	25117:16 25118:1	produce 25118:7	purported 25038:3	25053:8 25056:10
25076:23 25078:20	25127:22 25166:10	prohibition 25117:20	purpose 25020:14,24	25108:17
25079:1 25080:3	presumption 25007:14	projectiles 25096:24	25021:9,11,13,24	quite 25010:8 25022:24
25125:16,23	pretence 25035:12	prompted 25113:25	25038:3 25131:8,13	25024:15 25026:5
possibilities 25119:14	Pretoria 25051:19	proper 25039:3	25140:19	25039:8,16 25044:10
25120:20 25121:2,3,4	25055:2	25041:9 25108:3	purposes 25013:5	25073:20 25101:3
25121:13	Pretorius 25009:7	properly 25043:13	25035:24 25054:3	25102:1 25166:15
possibility 25007:25	25045:18	25115:1	25056:12 25074:5	25162:125166:15
25008:2,14 25017:13	Pretorius's 25040:7			
		proposal 25042:3,18	25110:8 25111:15,18	quotation 25013:10
25136:6 25137:23	previous 25139:18	25044:5 25046:2,9	25118:23 25119:10	25106:9
25140:1 25141:21	previously 25091:14	propose 25006:3	25126:21 25131:14	quote 25009:5,6
25142:5	25148:23 25165:20	25042:15 25165:22	25139:25 25160:15	25018:20 25021:5
possible 25064:16	prima 25038:11	proposing 25041:16	put 25009:8 25015:7,22	25027:8 25135:7
25065:22 25066:25	25045:2	proposition 25008:17	25016:22 25025:18	quoted 25012:7
25067:3,5,5,6	primarily 25090:23	prosecuted 25064:8	25030:17 25031:7	25018:19
25080:1,10,20	25091:2 25146:14	25140:11,14	25043:19 25057:22	
25095:16 25120:5,15	principally 25140:7	25140:11,14 25142:17,24 25144:7	25070:5 25071:9	R
25129:15 25131:14		<i>*</i>	25075:1 25076:13	r 25105:25
	principle 25006:20,22	25145:1,6,17 25146:8		
25131:18 25133:25	25007:3,18 25010:2	prosecuting 25144:8	25077:23 25081:23	raise 25022:8,8
25134:3 25140:8,11	25012:6 25027:6	25145:2	25083:7,8 25084:3	25023:3 25024:2,5,7
25141:14 25160:11	principled 25024:3	prosecution 25143:4	25087:16 25093:13	25035:14,15
possibly 25030:10	principles 25018:3,11	25144:9 25146:5	25097:23 25106:9,18	25037:20 25038:17
25037:5 25066:17	25027:18 25028:22	prosecutions 25146:14	25109:5 25126:11	25038:19 25048:8
25099:8,21 25160:6	25028:23 25029:3,8	prosecutor 25142:8	25131:23 25136:2	25149:5
postpone 25041:20	25020:25 25029:3,0	prosecutorial 25141:24	25143:20 25145:23	raised 25030:9
25042:4 25043:5	prior 25015:1 25115:20	prospect 25143:24	25145.20 25145.25 25146:25 25165:12	25035:20 25038:20
	-			
postponed 25046:23	25117:4	protection 25009:10	25165:14,17,18	25039:25 25045:9
postponement	prism 25015:7	25033:12	putting 25013:21	25116:4 25153:11
25044:25 25045:3,8	private 25141:7	protester 25153:8,17	25021:14 25039:14	raises 25102:1
Potchefstroom	probability 25120:7	protesters 25049:10	25039:22 25063:18	raising 25153:25
25054:19 25108:4	25141:10	25055:22 25059:22	25071:15 25076:23	25156:8
potentially 25020:23	probable 25099:19	25060:2,6 25099:4	25077:19 25116:3	Rangasamy 25033:11
25026:9	25134:1	25152:16 25153:4	25158:15	25034:13 25035:5
power 25012:24	probably 25020:13	prove 25118:19	20100.10	Rangasamy's 25043:2
25013:13 25015:23			0	
	25062:2 25103:3	proved 25138:4,7		range 25119:14
25017:21	25139:24 25145:22	provide 25027:20	quality 25018:24	rank 25098:11
powerfully 25019:12	25152:8 25166:9	25127:23	25023:22 25050:8	rate 25157:20
05006015	problem 25032:20	provided 25009:18	quarrel 25008:19	reached 25061:1
powers 25006:9,15				
powers 25006:9,15 practical 25024:2,5,8	25064:13 25155:19	25013:16 25027:15	quarter 25160:22	25069:7
		25013:16 25027:15 25027:17 25028:11	quarter 25160:22 Queen 25012:22	25069:7 react 25042:17

RealTime Transcriptions

Marikana Commission of Inquiry

				Page 13
reaction 25162:23	25140:3 25155:16	relating 25136:5	25046:3,17 25047:3	rest 25154:9
read 25054:4 25055:18	25161:8	relation 25006:16	replying 25009:6	resting 25012:4
25063:13 25095:4	recorded 25046:24	25008:12 25009:13	25034:25 25035:18	25045:12
25106:1 25134:20	25115:17 25117:21	25018:5,10 25024:3,5	25042:13	restrictive 25015:15
25135:22 25152:8,13	records 25113:1,8	25024:11 25028:25	report 25012:22	restrictively 25014:18
25154:10 25155:16	25118:1	25029:8 25030:8	25117:6 25122:23	result 25138:3
reading 25074:1	recount 25070:25	25080:9 25089:12	25124:3,10,21	25139:15,15
25135:21 25163:5	recovered 25080:23	25117:3,14 25125:10	25127:8,10,11	resulted 25113:12
ready 25046:5 25164:6	25081:4 25100:5	25134:4 25136:17	25128:13,13,18,22	results 25116:24
25166:3	25120:2,17	25150:11,17	25129:5,12,18	25117:1 25118:8,24
realised 25032:16,17	recovery 25064:16	25157:24	25130:2 25132:23	25119:1
25152:19	refer 25005:15,17	relationship 25130:22	25133:5	resumes 25005:2
really 25015:22	25006:14,18 25007:6	25131:4,18	reported 25129:20	25034:5,6 25047:24
25016:3 25018:12,22	25011:8,15 25012:9	relative 25022:13	25132:14 25133:13	25047:25 25086:21
25034:14 25035:2	25018:20 25019:1,2	relaxation 25087:20	reporting 25131:5	25086:22 25108:25
25039:25 25041:5	25026:18 25027:24	release 25163:7	represent 25063:2,6	25109:1 25160:24,25
25043:9,18 25044:9	25062:13 25148:1	released 25164:1,2	25071:12 25150:12	resumption 25166:19
25049:12 25076:11	reference 25011:22	releasing 25162:2	representative	retains 25097:20
25081:23 25085:24	25012:25 25013:2,24	relevance 25010:23	25016:22	retreated 25086:3,6
25106:18,19,19	25027:20,21 25028:8	relevant 25007:12	representatives	returned 25054:23
25107:1 25119:9	25028:17,18	25014:5 25017:7	25019:13 25030:4	revealed 25117:3
25149:13,16	25050:19 25054:25	25031:6 25037:4,13	25031:24	revisit 25089:15
25150:11 25163:5	25060:8 25062:16	25038:2 25055:18	represented 25030:15	25148:7
reargue 25045:16	25155:23	25066:19 25108:4	25030:25 25063:10	re-emphasise 25114:19
reason 25022:8	references 25011:4	25112:18 25115:8	reputational 25025:9	re-examination
25023:2 25041:10	25028:9 25055:25	25118:24 25132:9	25025:12	25166:3,8
25069:24 25076:4	referred 25005:9	25163:13	request 25066:9	rhetorical 25029:24
25077:8 25078:25	25006:23 25011:18	relief 25010:3 25014:15	25100:13,14,23,23	rifle 25060:22,23
25079:16 25087:25	25011:20 25012:13	25017:21,23 25029:6	25101:12 25168:25	rifles 25062:1,5,6
25091:19 25169:5	25012:19 25018:19	reluctance 25028:24	requested 25032:5	right 25005:6 25006:12
reasonable 25007:24	25028:13,21 25034:8	25082:21	require 25015:17	25008:9 25011:5
25009:8 25017:13	25064:12 25106:24	reluctant 25032:14	required 25009:20	25020:24 25023:21
25146:4	25135:11 25154:17	rely 25087:21	25013:14 25017:12	25037:7 25058:3,14
reasonableness	25156:20	remained 25154:6	25050:12 25127:14	25059:13 25062:9
25013:19	referring 25005:25	remaining 25018:2	25127:15 25146:4	25068:16,22 25074:9
reasonably 25013:14	25052:17 25055:6,13	remarkable 25164:10	25162:2 25163:7	25075:15 25097:18
25013:23 25144:4	25056:21 25080:2	remedies 25013:15	requirement 25014:11	25097:22 25105:12
reasons 25018:25	25105:7 25138:19	25021:1	25026:20 25027:13	25110:2 25112:15,20
25019:4 25073:3	25156:7	remember 25015:2	requirements 25091:4	25115:18 25160:18
25142:13,14 25167:9	refers 25156:9	25027:3 25050:20,23	requires 25042:25	25168:16
25168:3,25	reflected 25112:25	25050:24,25	requiring 25019:1,4	rights 25014:23
recall 25065:13	refuge 25136:2	25051:13 25053:11	reserve 25161:24,25	25018:4 25024:12,14
25071:15 25137:6	refused 25078:21	25054:3 25058:23	25162:1,16	25026:10,19
25167:4	25085:10,11	25060:21 25061:5,7	resources 25143:15	25029:10 25071:22
receive 25034:7	regard 25008:4	25070:4 25080:6	25162:2	25073:8 25077:4,12
25041:9	25009:1 25010:23	25087:13 25089:9,11	respect 25009:23	risk 25020:10
received 25034:9	25014:8 25015:11	25092:25 25098:11	25016:8,13 25019:25	road 25053:5,6
25042:3 25045:1	25017:24 25018:20	25101:2 25119:4	25023:3 25029:22	rock 25151:1
25054:19 25092:25	25020:11 25026:10	25134:9 25142:21	25035:16 25048:7	rocks 25061:1 25073:9
25123:16	25027:11 25029:4,12	25147:24 25150:4,6,8	25049:11 25058:21	25082:13 25083:21
recognised 25018:14	25035:7 25136:8	25158:20 25159:14	25090:15,21 25091:6	25134:22 25152:17
25026:7	Regarding 25105:20,21	25163:20,21 25165:3	25116:15 25144:5,21	Role 25161:25
recollect 25071:7	25106:2	remind 25149:2	25148:19	room 25019:23
recommend 25140:4	register 25114:25	reminded 25047:22	respond 25045:13	25112:13
25141:15 25142:6,7,8	25125:12,13,15	25160:13	responded 25051:6	Roots 25147:11,12,20
recommending	25132:16	reminding 25167:15	responding 25150:19	round 25054:17
25143:10	registers 25112:17	removed 25117:3,24	response 25008:12	25059:19 25061:20
reconcile 25113:17	regrouped 25085:24	25119:9	25039:7 25046:25	25062:11 25086:14
reconciliation	reissue 25114:18	removing 25072:14	25164:5,23	25086:15 25096:18
25113:19 25118:19	related 25010:1,1	repeat 25008:24	responses 25022:3	25105:22 25106:3,4
reconciling 25113:13	25049:13 25133:16	25098:23	25044:8	25107:23,24,24
25113:14	25162:15	repeating 25149:1	responsibilities	rounding 25056:12
2J11J.1T		reply 25016:23 25030:5	25162:15	rounds 25107:22
record 25030:11,17	relates 25017:23	1001, 20010.20 20000.0		
La L	25022:7 25050:2	25032:21 25037:5,16	responsibility 25143:5	25125:24 25133:1
record 25030:11,17			responsibility 25143:5 responsible 25089:18	
record 25030:11,17 25063:18 25066:4	25022:7 25050:2	25032:21 25037:5,16		25125:24 25133:1

Marikana Commission of Inquiry

Pretoria

				Page 1
row 25022:23	25156:14 25161:18	25014:17,17 25015:1	25057:17 25074:24	25098:20 25127:5,11
rule 25012:1	25162:20,21	25015:8,14,16	25080:8 25102:5	25131:5 25132:22,24
rules 25111:9 25148:18	SC 25023:12,16	25016:16,17	sense 25013:11	25133:10 25136:22
rulings 25167:24	25031:2,11 25032:22	25017:18,24	25019:13 25045:15	25138:3,22 25147:2
run 25036:5	25033:1,6,9 25044:22	25026:18,24 25029:7	25059:10 25159:4	25147:19 25148:2
running 25153:4	25045:6 25046:20	25057:20 25070:10	25160:18	25150:18,19,24
R5 25060:23 25139:15	25062:12,15 25066:4	25074:2	sensible 25016:1	25151:7,12,14,17,19
R5 s 25061:10,15,16,18	25066:8 25074:1	sections 25048:13	25033:4 25141:22	25151:25 25158:14
25061:22 25138:25	25088:6 25117:5	secure 25021:9	sent 25065:15 25066:5	25158:17,19,23
25139:1,9 25153:1	25118:15 25140:10	secures 25021:1	25066:10 25123:23	25159:5
2010911,9 2010011	25166:5,21,23	securing 25017:1	25144:8	shootings 25098:18
S	25167:4,13,19	security 25119:15,16	sentence 25055:19	25099:2
S 25009:25 25011:16	SCA 25007:9,11	25120:1	separate 25007:14	shootout 25059:20
SA 25007:8,11	scarcely 25088:9	see 25005:15 25013:8	25017:22	shoots 25140:12
safeguard 25021:25	scared 25045:18	25021:17 25022:14	separately 25105:3	short 25057:15 25059:3
Saffy 25052:1 25053:2	25152:21	25022:21 25025:1,5	sequence 25104:14	25076:25 25130:4
sake 25047:10	scene 25049:11	25027:1,14 25028:4	Sergeant 25068:17,19	25152:24
SAPS 25006:8	25051:14 25052:3,16	25031:5 25032:5,12	25068:21,23	shortcut 25159:4
25007:23 25008:5,25	25052:17 25054:10	25042:2 25066:11	25069:18,20 25070:4	shortfall 25115:11,17
25009:7 25014:16	25063:7 25076:10	25069:6,6,14	25070:24,25 25071:5	25115:19 25117:2,2
25015:9 25016:22,25	25081:1,9 25089:16	25095:24 25096:3,12	25070:24,25 25071.5	25117:17,18,22,23,25
25017:10 25024:6	25097:24 25098:15	25095.24 25090.3,12 25096:13,17	25072:3,13,19	shortgun 25105:24
25028:2 25029:6	25097:24 25098:15	25103:24 25107:17	25082:7 25155:12	25106:4 25107:10
25030:5 25032:21	25112:23 25118:22	25103.24 25107.17 25108:10 25117:18	25156:21 25158:18	shortguns 25106:24
25044:6 25046:3	25112.25 25118.22	25108.10 25117.18	25158:22	short-circuit 25155:22
25065:7,8 25066:22	25121:6,10 25128:18	25131:4 25134:15	series 25034:15	25163:12
25091:3 25092:9,10	25139:14 25147:14	25139:5,11 25144:16	25088:18 25093:16	shot 25095:15 25098:2
25092:12,14	25150:17 25152:15	25149:22,24	25098:11 25124:10	25120:21 25122:3
25092.12,14	25152:16 25163:18	25151:16 25158:21	serious 25023:23	25126:15 25133:1,13
SAPS15 25124:22	25163:23 25164:7,12	25161:12 25162:3,4	25024:7 25102:1,9	25120:15 25135:1,15
SAP13s 25080:23	25164:20,22 25165:5	seeing 25049:5	25168:16	25136:1,4,10,11
SAP15 25080.25 SAP15 25124:25	scenes 25052:8	25096:14 25138:11	seriously 25043:21	25138:12 25139:16
Sasol 25007:7	25147:14	25138:15 25147:24	25051:19 25052:9,12	25138.12 25139.10
saw 25005:8 25108:19	schedule 25166:15	25159:23 25163:20	25055:1	25147:9 25151:9,16
	scores 25017:11	25163:21 25168:22	service 25099:15	25152:23 25153:12
25148:4 25150:24	Scott 25011:9,10,21,21	seek 25028:22	25102:5,8 25112:24	25152.25 25155.12 25153:14,15,18,20
saying 25010:18 25016:3,7 25025:13	25014:12 25057:4,17	25035:20	25102.3,8 25112.24	25155:7 25156:8,9,11
-				
25027:7 25030:1 25037:10,20 25039:4	25058:1,7,12 screen 25021:18	seeking 25011:23 25098:21 25136:2	services 25034:11 25064:19 25164:14	25159:11 shotgun 25090:19,22
,	25022:22 25023:17	seen 25014:6 25089:5	25165:7	25095:13,15
25039:5 25044:18 25049:21 25055:23	25060:11 25089:19	25161:8 25163:13,15	session 25046:15	25095:13,15 25096:23 25097:15
	25089:19 25095:4,6	sees 25021:18 25055:9	25047:2	25090.23 25097.13
25058:11,25	25096:8 25104:20	25055:24	set 25009:24 25014:11	
25061:17 25067:8,13	25105:12 25109:5,9	self-defence 25141:6	25027:18 25057:21	25105:22,24 25106:5 25106:22 25107:10
25070:13 25078:8,11				
25080:9 25091:19	25134:21 25157:17	Semenya 25008:10	25092:25	25107:22,23,24,25
25098:25 25112:4	25161:15	25023:11,12,16	sets 25018:2 25057:14	25119:18 shotauns 25106:24
25121:2 25122:12	searched 25069:21 25083:11	25032:21,22 25033:1 25033:6 0 25034:8	25058:24	shotguns 25106:24
25125:15 25126:9,14		25033:6,9 25034:8	setting 25013:11,17	25119:14,23,25
25128:12 25130:4	searching 25154:12	25038:14,21	severable 25044:10	25120:16,25 25122:7
25131:8,12,13,13	second 25014:12	25044:20,22 25045:6	25045:10 Shadraak 25080:1	25122:16 shots 25061:2 25120:2
25132:10 25135:1,4	25017:16 25020:19	25046:9,20 25060:19	Shadrack 25089:1	shots 25061:2 25129:2
25136:5,16,17,18	25036:23 25045:9	25060:22 25062:12	25109:6 shaft 25074:22	25130:23 25131:25
25137:5 25138:11	25054:15 25057:21	25062:15,24 25066:4	shaft 25074:23	25131:25 25132:10
25141:13,16,18	25127:8 25158:10	25066:8 25074:1	25075:16,19 25077:9	25132:20 25133:8,13
25143:7,8,14 25150:2	25161:24 25163:11	25087:12 25088:5,6,8	shaking 25033:19	25134:5 25151:8
25154:23 25156:1,17	secondly 25006:16	25100:22 25116:22	share 25164:10	25152:20,23,24
says 25007:12 25009:7	25019:9 25036:8	25117:5 25118:15	sheet 25125:22	shottist 25127:20
	05140 10 05151 10		25132:18	25128:19 25140:15
25009:16 25021:8	25148:12 25151:13	25135:21 25140:10		05140 17 05151 5
25009:16 25021:8 25029:20 25031:23	25164:18	25166:1,3,5,21	she's 25030:12,15,17	25140:17 25151:5
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7	25164:18 seconds 25020:3	25166:1,3,5,21 25167:4 25168:18	she's 25030:12,15,17 25030:25	shottists 25141:8,9
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11	25164:18 seconds 25020:3 secrecy 25021:2	25166:1,3,5,21 25167:4 25168:18 25169:9,11	<pre>she's 25030:12,15,17 25030:25 shoot 25061:23</pre>	shottists 25141:8,9 25147:25
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11 25072:21 25087:12	25164:18 seconds 25020:3 secrecy 25021:2 secret 25019:7	25166:1,3,5,21 25167:4 25168:18 25169:9,11 Semenya's 25088:4	<pre>she's 25030:12,15,17 25030:25 shoot 25061:23 25062:5 25078:2</pre>	<pre>shottists 25141:8,9 25147:25 shouldn't 25008:9</pre>
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11 25072:21 25087:12 25103:25 25107:14	25164:18 seconds 25020:3 secrecy 25021:2 secret 25019:7 section 25005:23	25166:1,3,5,21 25167:4 25168:18 25169:9,11 Semenya's 25088:4 send 25167:14	she's 25030:12,15,17 25030:25 shoot 25061:23 25062:5 25078:2 25140:23 25141:5	<pre>shottists 25141:8,9 25147:25 shouldn't 25008:9 25023:24</pre>
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11 25072:21 25087:12 25103:25 25107:14 25141:14 25144:16	25164:18 seconds 25020:3 secrecy 25021:2 secret 25019:7 section 25005:23 25006:4,5,6 25007:19	25166:1,3,5,21 25167:4 25168:18 25169:9,11 Semenya's 25088:4 send 25167:14 sending 25100:13,13	she's 25030:12,15,17 25030:25 shoot 25061:23 25062:5 25078:2 25140:23 25141:5 shooter 25140:14	<pre>shottists 25141:8,9 25147:25 shouldn't 25008:9 25023:24 shouting 25073:11,18</pre>
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11 25072:21 25087:12 25103:25 25107:14 25141:14 25144:16 25144:19 25152:15	25164:18 seconds 25020:3 secrecy 25021:2 secret 25019:7 section 25005:23 25006:4,5,6 25007:19 25010:12,12	25166:1,3,5,21 25167:4 25168:18 25169:9,11 Semenya's 25088:4 send 25167:14 sending 25100:13,13 25153:25	she's 25030:12,15,17 25030:25 shoot 25061:23 25062:5 25078:2 25140:23 25141:5 shooter 25140:14 shooters 25146:15,20	shottists 25141:8,9 25147:25 shouldn't 25008:9 25023:24 shouting 25073:11,18 25153:24
25009:16 25021:8 25029:20 25031:23 25044:21 25052:7,7 25060:19 25070:11 25072:21 25087:12 25103:25 25107:14 25141:14 25144:16	25164:18 seconds 25020:3 secrecy 25021:2 secret 25019:7 section 25005:23 25006:4,5,6 25007:19	25166:1,3,5,21 25167:4 25168:18 25169:9,11 Semenya's 25088:4 send 25167:14 sending 25100:13,13	she's 25030:12,15,17 25030:25 shoot 25061:23 25062:5 25078:2 25140:23 25141:5 shooter 25140:14	<pre>shottists 25141:8,9 25147:25 shouldn't 25008:9 25023:24 shouting 25073:11,18</pre>

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

				Page 1
show 25008:9 25017:13	solved 25032:20	25014:15 25049:10	25158:15	submission 25008:13
25103:11 25125:7	somebody 25022:12	25076:14 25081:23	statements 25053:11	25015:11 25016:5
shows 25133:14	25061:21 25066:22	25082:2 25092:2,3	25060:4 25155:19	25018:12 25024:10
25163:15	25116:14 25119:11	25099:9 25147:5,8	station 25079:24	submissions 25007:22
side 25035:22 25041:21	25123:7 25125:7	25151:4 25155:5	25127:9	25014:10 25017:25
25068:25 25069:2,4	25137:23 25147:3	spell 25028:14	stations 25074:6	25029:14,22
25076:9,10,24	25151:8 25167:2	spirit 25012:3	25076:1 25077:6	submit 25007:17
25077:23 25097:11	sommer 25120:21	spoke 25072:4	25070.1 25077.0	25009:20,23
25151:7,17 25155:13	soon 25047:6,8,20	25076:14	statute 25015:20	25014:21 25015:15
25158:9,10	25061:4 25087:10	sports 25022:23	statute 25015.20 statutory 25006:21	25014:21 25015:15
sides 25158:11 25159:5	25117:9 25129:15	sportsmen 25022:23	step 25044:5 25074:16	25017:7,10,17,19
sight 25153:19	25160:14	spot 25106:25	25074:18 25075:20	25020:7 25021:4
sign 25106:2 25132:15	sophisticated 25015:21	spott 25100.25 spotted 25107:9	25074.18 25075.20	25022:16,17
signal 25153:25	sorry 25012:11	25121:5	stick 25149:11	25022:10,17 25024:18 25027:11
		SSG 25090:16,16,21		
signature 25105:16	25016:19,19		stock 25111:4,6	25029:2,5,11,13
25130:6,7,10 25131:9	25020:12 25025:23	25091:10,15,25	25112:4,4,25	25127:15 25130:1
signed 25087:5,6,15,19	25037:7 25042:21	25092:12,15,18	stockpile 25110:23	submitted 25117:7
25105:14 25107:7	25045:25 25054:2,12	25096:21 25097:4,24	25111:1	submitting 25016:15
25113:7 25130:6	25057:8,9,10 25065:6	25098:4,5 25099:4,24	stockpiled 25110:22	subpoenaed 25063:17
25132:7,8,8	25065:6 25066:7	25103:15 25107:24	stolen 25120:25	subsequent 25007:15
similar 25097:13	25072:11 25077:25	25109:20,23 25114:4	stomach 25153:14	25053:19 25073:6
25155:13	25089:17 25094:11	25114:11,18 25116:6	stomachs 25154:5	25098:19
similarly 25145:5	25098:23 25106:13	25116:9 25119:10,18	stone 25150:25	subsequently 25073:10
simple 25036:11	25128:7 25134:15	25120:21	stood 25068:8	25084:1 25162:11
25037:1	25137:20 25139:6	stadium 25022:23	25069:12,13	substance 25036:6
simplest 25121:23	25155:14 25156:19	stage 25031:1 25035:14	stop 25041:19	sub-quality 25050:3
simply 25008:11,25	25157:4 25159:25	25041:20 25048:24	25116:14 25143:16	succeed 25023:23
25009:20 25010:18	25161:24 25162:24	25065:2 25068:24	25144:3	succeeded 25120:7
25016:15 25018:7	25163:1 25164:1	25076:21 25077:8	stopped 25060:25,25	sufficient 25121:6
25028:22 25044:13	sort 25025:24 25041:8	25082:11 25099:9	25061:4 25078:19	sufficiently 25111:1
25056:19 25093:12	25097:5 25119:20	25108:11 25116:9	25151:14,17,19	suggest 25020:10
25126:16	sorted 25043:4	25126:24 25129:10	storage 25111:25	25036:9
single 25081:11,12	sought 25009:10	25151:13 25162:8	store 25112:14,18	suggested 25022:19
25152:24	25014:16 25017:21	stand 25045:24	25115:8 25117:4,24	25051:2 25072:25
sir 25096:24 25127:16	25029:6	25098:9 25153:13,15	stored 25112:6,14	25153:8 25159:4
sit 25042:10 25068:7	sounds 25038:11	standard 25010:1,2,24	storeroom 25112:13	suggesting 25016:14,15
site 25080:11	source 25091:9	25011:10 25014:19	stores 25114:21	25093:10
sitting 25042:9	25115:25	25017:16,16	25119:10 25121:17	suggestion 25008:8
25046:18 25047:1,4	sources 25120:15	standards 25011:5	Strasbourg 25027:16	25075:4
situation 25027:9	South 25011:13	25017:12 25087:20	stretched 25014:1	suggests 25036:24
25116:13 25143:3	25012:21 25026:15	standby 25066:6,8,9,11	strict 25019:5	suicide 25063:12,16
six 25063:16 25094:12	25027:5 25099:15	25066:13	strictly 25017:7	sum 25147:1
25121:22	southern 25069:2,3	stands 25022:22	25029:2	summarise 25072:19
size 25056:16	so-and-so 25078:6	25026:15	strike 25015:23	summarising 25146:25
sketch 25100:18,24	so-called 25050:3	star 25019:22	25087:7	Sunday 25120:1
25101:11	space 25057:15	start 25019.22 start 25011:23	striker 25067:16	supermarket 25128:12
Skype 25022:12,14,14	25154:6	25054:18 25060:15	25120:24	superseded 25012:1
25022:16,17,19	sparked 25057:3	25060:15 25067:7,9 25080:14 15	strikers 25025:7	supplement 25038:22
25023:6	speak 25033:15	25089:14,15	25050:21 25067:13	supplementary
slide 25161:13	25163:19	25123:22 25161:10	25067:18 25082:12	25035:11 25036:2
25162:19	speaking 25031:17	started 25064:13	25085:15 25086:11	supplied 25059:14
slides 25163:5	25054:3 25062:25	25079:4	25133:18 25134:23	25110:16
slightly 25011:1	25073:22,23 25078:8	statement 25025:5	25134:24 25136:2	supply 25107:6
25020:15 25024:22	25078:9	25051:17 25053:14	25145:6,17,25	25113:16
25145:24	special 25007:16	25053:16,19,20,24,25	25146:7,16	support 25029:13
slip 25108:15	25151:22	25054:11,15,16,16	strong 25021:1 25025:2	25045:9 25064:10
slipped 25039:8	specialibus 25006:23	25055:7,10,18,24	stronger 25025:14	25103:10 25143:15
25106:20	25006:24	25056:1 25064:11	struck 25016:14	25161:24 25162:1,16
slot 25006:19	specific 25007:3	25073:11 25087:3,5	structured 25029:18	supported 25142:20
small 25023:7,11	25009:3 25013:15	25087:13 25089:1,9	stuff 25117:23	25143:2
25062:10	23002.4 23071.1	25089:18 25103:11	subject 25007:14	suppose 25034:16
smuggled 25120:5	25080:10 25092:5	25109:6 25114:7	25041:17 25087:24	25035:3 25059:22
sneaked 25040:4	25112:2 25122:23	25127:15 25132:6	25111:9 25116:5	25081:7 25091:9
sole 25131:13	25133:10 25147:24	25135:22 25136:8	25121:17 25139:23	25104:24 25106:3
	25140 5 25165 17	25152:14 25155:11	25148:24	25113:5 25118:23
solely 25065:22	25148:5 25165:17			
solely 25065:22 25066:16	specifically 25009:13	25156:6,20 25158:10	subjected 25013:18	25119:3 25120:4

Pretoria

				Page 1
supposed 25070:7	25168:20	testified 25065:1	25049:23 25051:2	25074:25 25113:5
25071:24 25103:25	taken 25015:25	25085:6 25113:10	25055:8 25070:25	25137:16 25166:8
sure 25005:24	25021:3 25037:25	25122:6,8 25131:6	25071:22 25072:17	25167:14
25010:14 25011:19	25041:5 25042:24	25138:21 25148:3	25072:18 25076:14	Tokota 25030:20
25019:11 25022:25	25051:3,7,11 25052:5	25154:2 25155:3	25084:8 25099:6	Tokota's 25030:20
25023:9 25030:12	25052:13,16 25064:6	25164:3	25127:4 25131:16,19	told 25023:12 25033:13
	-			
25033:22 25038:15	25071:19,20	testify 25033:12	25132:24 25143:10	25071:12,16,24
25040:23 25041:18	25075:20 25076:1,25	25064:21 25067:18	25147:18 25151:11	25072:22 25073:16
25052:14 25059:23	25082:7 25083:3	25083:19 25151:15	25154:24 25158:5	25074:6 25077:8,19
25062:18 25065:10	25084:1 25098:4,15	testifying 25008:1	25165:14	25077:22 25078:5
25073:10 25074:24	25099:1 25100:11	25017:14	thinking 25119:25	25083:14 25102:21
25077:7 25080:5,25	25101:15 25111:2	testimony 25085:8	thinks 25038:21,24	25150:6 25157:12
25083:22 25097:9,13	25112:13,13	25108:8 25112:3	25166:24	tomorrow 25042:9
25098:3 25100:14,22	25115:17 25117:21	25142:25 25164:19	third 25038:17	25167:22
25119:15,17	25119:15 25120:1	25165:15	25051:18 25055:1	tools 25061:17
25120:16 25123:4	25121:19 25145:13	testing 25123:19	25094:7,8	top 25013:6 25020:20
25126:8 25131:20	25154:14 25157:25	Thanks 25030:2	thought 25014:24	25063:5 25096:25
25139:12 25140:13	takes 25123:7 25128:18	25067:1 25123:12	25019:16 25066:5,14	25097:2,3
25155:24 25168:4,21	talk 25073:8	25157:16 25159:9	25085:4 25094:12	topic 25014:7 25049:7
surely 25021:23	talking 25022:13	25165:2	25136:9 25144:11,12	25050:2,24
25022:1 25110:11	25054:6 25057:2,2	that'll 25094:9	25148:23,24 25152:7	topics 25048:7,24
surprise 25164:11	25062:19 25071:14	thereto 25047:3	25159:1	25148:13 25149:3,4
surprised 25114:11	25071:18 25085:18	there'd 25115:11	thousand 25141:4	25149:11,23
surrender 25125:17	25092:4,5,6 25122:17	there's 25005:8	threatening 25020:6	total 25063:9 25147:1
25153:10	25125:20 25126:7	25007:24 25008:1,3	three 25005:16 25018:2	totally 25019:22
surrendered 25153:19	25129:1 25136:25	25009:17,25 25010:8	25019:3 25029:18	touching 25148:22
surrendering 25153:17	talks 25010:13	25012:23,25	25054:8,24 25057:14	touchstone 25013:19
			-	
25155:3,6,23	Task 25151:22	25013:25 25024:2,4	25058:22,24	trace 25087:8 25123:3
25159:11,13	tasked 25145:20	25030:7 25031:8	25060:16 25067:13	traced 25119:19
suspect 25087:8	tea 25047:19,20,23	25038:21 25040:10	25067:20 25071:18	25120:16
25100:16	25160:14,22	25041:6 25042:23	25077:14 25094:13	tracing 25121:18
suspected 25144:5	tearings 25095:23	25043:25 25075:3	25096:3 25104:16	track 25122:12
suspects 25064:17	technical 25036:5,6	25081:11 25090:24	25130:17 25134:24	tragedy 25091:25
sustained 25154:8	25041:4 25043:9	25093:24 25096:17	25136:11 25153:22	25165:6
sweep 25048:15	technically 25120:5	25097:5 25099:20	25154:6,18	trail 25082:9 25118:4
25067:19 25163:22	televised 25019:15,18	25104:4,14 25105:15	thrust 25134:19	training 25091:3
25164:7,13	television 25165:13	25108:14 25115:17	25135:4	25110:8 25111:15,19
Synthetic 25007:7	tell 25033:5 25036:20	25117:17,18,22,22,24	Thursday 25042:11	25110:8 25111:15,19
				transcribed 25038:20
system 25021:2	25038:25 25042:22	25118:5 25119:13	25056:24 25167:23	
25108:7,9,9 25122:2	25048:17 25070:7,16	25123:22 25124:14	tied 25083:6,7	transcribers 25062:20
25123:1,9 25145:13	25070:17 25071:1	25127:3 25130:22	till 25043:5 25045:3	transcription 25062:18
s.u.o 25089:7 25109:17	25090:15 25098:7	25136:5 25140:1	time 25014:6 25034:3	transferred 25053:1
25161:4	25115:2 25139:12,13	25141:4 25143:24	25038:17 25039:17	transported 25051:15
	temptation 25019:19	25145:11 25149:5	25041:8,9 25044:24	25052:1,14 25053:2,2
T	tends 25018:23	25154:20 25163:10	25045:4 25046:10,20	25074:21 25079:24
table 25047:21	term 25013:10,17	they'd 25117:17	25050:3 25057:15	travellers 25042:20
take 25015:13	25057:21	they'll 25028:4	25059:5 25060:1	traverse 25146:23
25025:17,19	terminology 25075:15	25043:24 25117:25	25071:24 25072:23	25150:3
25025:17,19	terms 25009:10	25045.24 25117.25	25073:8 25074:2	traversed 25151:4
25031:16 25032:24	25014:16 25017:11	they're 25008:6	25089:25 25092:18	treat 25012:5 25050:21
25033:3,4,6,21	25020:8 25021:8	25017:12 25035:13	25101:3,5,23 25102:6	treated 25044:6
25034:1,2,3,13	25064:2,9 25069:20	25037:2,9 25071:25	25102:13,16,20	25050:22
25042:24 25043:21	25069:22 25071:7,21	25104:11,12,13	25107:11 25109:23	tribunals 25019:8
25044:4,10 25046:6	25078:17,22	25108:8 25141:23	25110:12 25121:19	tried 25070:25
25047:19 25048:9,23	25084:11 25091:13	25158:16	25122:19 25125:8,16	25072:14 25153:13
25086:19 25099:11	25091:16 25125:20	they've 25033:22	25126:4 25128:8,9,12	25153:15,16
25107:2 25108:12,15	25129:24 25132:15	thing 25020:3 25050:1	25130:7,15 25131:2,9	trouble 25152:2
25108:23 25109:4	25132:25 25133:11	25057:13 25071:5	25132:8,16,25	trucks 25076:25
25112:12 25116:23	25136:12 25137:1	25078:1,4 25100:17	25137:17 25152:22	true 25025:8 25164:18
25112:12 25110:25	25145:14 25148:17	25100:22 25115:13	25152:23 25157:24	truthfulness 25018:17
	25151:12,14			
25126:20,23		25127:8 25129:22	25159:23 25167:24	try 25031:19 25086:20
25128:19 25129:2		25132:11 25135:12	25168:3	25163:12
14 11 Detter	terrain 25164:21	05156.0		
25146:14 25152:5,7	test 25009:23,24	25156:9	times 25020:18	trying 25039:2
25146:14 25152:5,7 25160:14,21	test 25009:23,24 25010:17 25014:1	things 25006:1,14	25056:17 25125:15	25072:19 25156:25
25146:14 25152:5,7	test 25009:23,24 25010:17 25014:1 tested 25121:19		25056:17 25125:15 25125:18	25072:19 25156:25 25158:21
25146:14 25152:5,7 25160:14,21	test 25009:23,24 25010:17 25014:1	things 25006:1,14	25056:17 25125:15	25072:19 25156:25

Marikana Commission of Inquiry

Pretoria

				Page
25046:4,18 25047:5	25164:22 25165:4	25011:21 25012:21	watertight 25120:9	25150:14 25157:2
25166:12,16 25167:2	unkind 25015:22	25013:12 25028:10	way 25010:19 25013:21	25159:12 25160:15
turn 25007:21 25009:2	unknown 25133:23,24	25122:23	25027:13 25032:5	25160:21 25163:14
25020:3 25058:9	unnecessary 25165:14	vicinity 25134:11	25039:14,21	25166:19 25167:13
turned 25020:5	unobservant 25157:20	25152:18	25050:21 25053:4	25167:14 25169:8,13
25054:23	unrelated 25049:23	victims 25018:4	25075:1 25078:19	we're 25019:17
turning 25012:6	unrepresented	video 25010:16	25090:10 25094:18	25022:19 25030:1
turns 25040:1	25030:10,11	25022:20 25023:5	25112:25 25121:23	25033:24 25034:17
TV 25022:22	unsatisfactory 25023:6	25024:5 25038:7,9	25122:6 25131:23	25042:9 25043:9,10
twice 25123:13	unsigned 25033:14,17	25163:12,13	25132:19 25142:12	25046:1 25054:2
25129:18 25133:17	unspecified 25055:21	videos 25163:15,20	25166:2 25168:20	25070:5 25071:4
25136:4 25138:12	urgently 25164:15	view 25025:1	ways 25079:10 25132:5	25084:10 25085:18
type 25119:20	use 25031:7 25038:5	viewed 25051:20	weaker 25024:22	25088:17 25096:14
25158:19	25046:13 25061:10	25055:3	weakness 25040:1	25125:20 25126:7
typed 25040:11,13	25062:1,4,6 25087:3	vigorous 25088:5	weapons 25064:4,16	25128:15 25129:1
25107:1	25090:16,21	virtually 25168:19	25071:3,4 25072:14	25137:2 25141:15
	25091:14 25092:15	virtue 25024:4	25072:18 25073:12	25142:5 25156:25
U	25104:5 25111:19	visible 25151:5	25073:12,16,17,19	25157:24
ultimate 25144:25	25112:7 25122:7,19	visit 25029:25	25076:8,14,17,18,22	we've 25005:16
understand 25005:3	25122:22 25134:6	visited 25051:20	25076:24 25077:20	25027:5 25034:8
25010:15 25019:22	useful 25014:2	25055:2	25077:23 25078:18	25043:20,23
25020:14 25024:25	useless 25154:17	vital 25040:5	25078:20,21,24	25049:24 25066:12
25025:11,12 25027:2	users 25122:16	voice 25062:25	25079:2,5,18,21,23	25095:4,6 25096:8,1
25030:16 25031:19	usual 25087:20	25153:23	25080:2,10,11,15	25104:7 25118:10
25037:8,18 25043:12	25165:15		25082:7 25083:11,15	25135:15 25137:16
25045:20 25047:13	usually 25168:17	W	25083:20,20,24,25	25145:10 25165:8
25052:19 25053:1,4,7	utilised 25065:12	wait 25090:7	25084:4 25159:25	25167:25
25063:2,19 25067:8	25110:7,24 25112:6	waiting 25034:7	wearing 25157:21	what's 25019:23
25067:12 25071:14		25047:22 25057:11	Wednesday 25045:7,15	25028:16 25096:18
25072:5,20 25078:10	V	waived 25042:24	25045:23 25046:2,18	25108:4 25113:18
25080:22 25092:13	valid 25014:25	Wales 25012:21	25046:23 25047:7	25122:23 25124:25
25095:5 25116:2	value 25165:4	walk 25137:11	25166:16,18	25157:4
25131:22 25135:2,4	van 25028:19 25033:10	Walker 25013:12	week 25046:23	whichever 25052:4
25138:9,10 25142:9	25034:10 25035:3,4	walking 25068:24	25047:10,11	whilst 25072:13
25142:11 25149:16	25072:16 25076:19	25069:1 25120:20	25089:10 25092:25	25154:12
25149:18 25150:12	25083:9	want 25010:16	25166:4,6,11	white 25096:18,19,20
25152:15 25156:1	vans 25064:24 25065:2	25029:16,17 25030:5	weight 25020:1	who's 25074:25
25159:7 25166:11,12	25065:8,11,12,14,16	25033:3 25036:17	25039:24	25168:19
25168:24	25066:22 25074:17	25039:6 25040:14	well-founded 25040:22	widows 25029:25
understandable	various 25063:7	25041:21 25045:13	went 25039:11,13	25041:1 25045:18
25035:23 25073:3	25076:1 25077:5	25046:3 25047:14	25058:9 25107:17	wife 25030:13
understanding 25050:5	25110:22 25142:19	25048:8,14,23	25117:20 25130:11	Wigmore 25018:19,20
25056:13 25117:11	25147:25	25056:10 25057:13	25132:16,25 25136:9	25019:1,3 25020:20
25117:12 25145:11	vehicle 25051:8	25061:9 25086:14	25140:24 25145:7	25021:5,7
understands 25168:4	25053:3 25071:6	25087:22 25089:13	25150:4 25153:10	wire 25059:14
understood 25013:11	veld 25051:4	25108:15 25112:9	25158:21 25164:23	wish 25010:20 25025:1
25158:5	velocity 25139:19,20,20	25135:7 25137:11,15	weren't 25075:7	25028:6 25030:21
undertake 25143:23	venture 25081:13	25139:21 25146:22	weren't 25101:22	25035:6 25037:10
undertaken 25113:16	venue 25017:2	25149:5 25150:2,11	25102:15	25041:22 25045:21
undertaking 25118:11	25021:17	25150:13,14 25152:5	Wesley 25101:10,16,17	25046:25 25081:16
underway 25116:15	verbally 25039:3	25155:4 25160:16	Western 25118:25	25166:4 25167:10
undesirable 25036:19	verbatim 25071:2	25162:25 25165:12	25119:2	wishes 25031:9
unfair 25014:5	25076:20 25077:21	25165:14 25167:15	we'd 25007:6 25039:3	withdraw 25113:16
unfortunately 25087:7	25078:9	wanted 25030:10	25041:12 25042:11	withdrawal 25105:20
25089:20,21	Vermaak 25166:13,25	25050:4 25062:11	25047:21 25093:4,7	25105:21 25106:2
unhappy 25039:14	25167:10,16	25087:4 25109:5	25118:23	25121:17
unhelpful 25036:24	25168:19	25127:8 25165:12	we'll 25031:11,19,24	withdrawn 25112:7
	vernacular 25073:23	wanting 25019:8	25034:1,1,19	withdrew 25114:21
uninjured 25136:12		Warrant 25068:16	25038:17 25047:11	withheld 25040:4
uninjured 25136:12 unit 25053:3 25058:21	25076:12 25078:9		1 25047.77 25060.15	witness 25021:6,12,21
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16	version 25051:24	wasn't 25010:18	25047:22 25060:15	
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16 25163:22 25164:6,12	version 25 051:24 25075:24 25083:15	25016:13 25019:16	25062:22 25079:11	25022:6 25023:7
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16 25163:22 25164:6,12 25164:13,20	version 25051:24 25075:24 25083:15 25147:1,3,19	25016:13 25019:16 25066:10 25107:1	25062:22 25079:11 25086:19 25094:15	25022:6 25023:7 25047:21 25048:9
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16 25163:22 25164:6,12 25164:13,20 units 25107:20 25110:6	version 25051:24 25075:24 25083:15 25147:1,3,19 25150:17,22	25016:13 25019:16 25066:10 25107:1 25115:10 25117:2	25062:22 25079:11 25086:19 25094:15 25101:11 25104:22	25022:6 25023:7 25047:21 25048:9 25049:22 25056:11
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16 25163:22 25164:6,12 25164:13,20 units 25107:20 25110:6 25110:22,23 25111:6	version 25051:24 25075:24 25083:15 25147:1,3,19 25150:17,22 25165:17	25016:13 25019:16 25066:10 25107:1 25115:10 25117:2 waste 25107:10	25062:22 25079:11 25086:19 25094:15 25101:11 25104:22 25105:2,3 25108:23	25022:6 25023:7 25047:21 25048:9 25049:22 25056:11 25087:4 25101:1
uninjured 25136:12 unit 25053:3 25058:21 25058:25 25163:16 25163:22 25164:6,12 25164:13,20 units 25107:20 25110:6	version 25051:24 25075:24 25083:15 25147:1,3,19 25150:17,22	25016:13 25019:16 25066:10 25107:1 25115:10 25117:2	25062:22 25079:11 25086:19 25094:15 25101:11 25104:22	25022:6 25023:7 25047:21 25048:9 25049:22 25056:11

Tel: 011 021 6457 Fax: 011 440 9119

RealTime Transcriptions

Pretoria

				Page 1
25166:13 25168:20	X's 25017:1 25039:12	25096:11	25162:20	25035:1 25074:18
witnesses 25018:15	25040:7,8	0965 25094:22	16/8/2012 25125:4	25085:13,19 25086:1
25028:25 25029:9	·	25096:14	17 25107:22	25086:4 25093:22
25037:24 25058:23	Y	0966 25094:22	17th 25125:3	25094:10,11
witness's 25022:10	year 25103:17,20	25096:16	17/8/2012 25125:4	25100:11 25118:22
woke 25068:4,5	25110:3,25		18 25005:1	25120:6 25152:16
wonder 25062:20	years 25092:19,21	1	189 25060:8 25134:13	30 25009:15 25013:9
25095:1	25109:24 25110:12	1 25059:7 25074:23,23	25135:18	30C 25007:12
won't 25023:25	25110.12	25075:16,19 25077:9	19 25006:19 25012:23	300 25085:22
25075:17	25117:18,19 25118:1	25085:16,22 25086:2	25013:8	31 25009:4 25013:22
word 25013:22	yesterday 25007:23	25085:10,22 25080.2	19th 25010:10	25154:11
25016:14 25031:7	25008:23 25009:24	25119:3,4 25140:23	1947 25015:6	32 25013:24
25032:7,9 25082:16		-	194 7 25015.0 1996 25015:1	34 25013:24 34 25014:12 25015:14
	25018:19 25030:9	25162:17,21	1990 23013.1	
25138:7 25159:25	YouTube 25019:15,17	25163:18,23,23	2	25016:17 25017:24
25163:14	25019:17	25164:1,5,6,7,13,20		25029:7
worded 25100:23	you'll 25005:15	25164:21,22 25165:5	2 25007:8,11 25020:22	35 25018:12 25053:18
words 25006:24	25013:6,8 25117:10	1-5 25124:24	25034:16 25035:1	37 25021:7
25015:20,23 25016:8	25140:18,19 25150:3	1.2 25108:18	25049:11 25054:16	39(2) 25015:8 25074:2
25032:13 25044:6	25166:7,10	10 25009:6 25012:22,23	25074:16 25081:9	
25053:23 25055:19	you're 25005:25	25013:7 25039:5	25089:16 25099:1	4
25061:9 25063:24	25011:2 25013:7	25054:18 25056:19	25112:23 25118:22	4 25007:19 25011:17
25096:21 25123:7	25015:4,10,21	25086:20 25110:25	25139:14 25150:17	25013:16 25014:17
25134:6,9 25143:21	25016:3 25025:24	25111:3 25117:18,19	25152:15,16	25015:16 25075:20
work 25042:8 25047:13	25031:8,9 25042:2,21	25118:1 25121:21,21	25162:12,23	25075:25 25077:9
25103:13 25115:1	25044:18 25048:1	25123:7,7 25132:8	2:30 25056:22 25064:5	25093:24 25096:6
working 25123:5	25056:21 25058:11	10th 25040:2	20 25104:12,15	25123:24
works 25140:25	25070:7,8,17	10:33 25034:6	25105:15 25131:25	41 25024:12 25027:24
25145:13	25086:23 25105:6	10:52 25047:8	20/04/01 25106:11	25060:9
worry 25037:3	25109:2,10 25113:5	11 25006:11 25135:20	200 25038:8	41.2 25105:1
worse 25035:23	25127:9 25137:5	25150:4	2002 25007:8,10,11	42 25025:20 25026:6
worst 25040:8	25143:9 25149:1,22	11:18 25047:25	2011 25104:13	25027:22,25
25159:22	25156:17 25161:1	11:38 25061:11	2011 25104.15 2012 25030:14	43 25005:24
wouldn't 25021:16	25166:11 25168:16	11:58 25077:3	25053:21 25092:22	45.3 25027:20
25034:14 25047:14	you've 25013:3	11.38 25077.5 12 25018:11 25107:23	25109:24 25115:21	45.4 25028:8
25119:1 25120:7	25014:6 25030:3,6,25	12 25018.11 25107.25 12th 25120:2	25119:24 25113:21	49 25088:21,22
25129:8 25130:24				49 23088.21,22
25129:8 25150:24	25038:20 25048:6	12-bore 25106:6	25125:2,3	5
	25055:24 25070:16	25107:22,24,25	2014 25005:1 25040:3	-
would've 25165:4	25080:3 25081:14,21	12:32 25086:22	25103:22 25104:1	5 25049:7,20 25075:25
wound 25153:6,6,7	25085:6 25095:5	12:52 25100:24	25105:15 25106:12	25076:4 25091:14
wounded 25050:22	25102:12 25109:9	13 25021:7 25063:6	25106:20 25107:23	25107:24 25132:7
25153:5 25159:2	25133:17,20 25137:2	13H00 25107:23	2014/01/16 25106:19	25152:11
wounds 25154:8	25137:13 25142:14	13th 25030:14 25050:5	2014/011 25106:13	50 25124:16 25152:18
25158:17 25159:3	25157:25 25159:4	13:55 25109:1	21 25007:8,11 25018:22	500 25038:9
wrapping 25153:6		14 25005:23 25024:11	22 25019:2	51 25094:9
write 25006:2 25027:25	Z	25026:11	22940 25060:8,8	51.1 25094:2
25106:3	Zandisile 25089:2	14th 25162:6	22942 25134:13	51.2 25094:3
writing 25038:17,20	25109:6	14:15 25124:14	25135:16	51.3 25094:21
25039:3 25106:20	zero 25088:24	14:35 25141:4	23 25152:9,15	51.4 25094:22
written 25005:9	Zimbabwe 25154:16	14:55 25155:18	24 25089:15 25152:19	51.5 25094:22
25097:4	Zulu 25031:20 25032:8	141 25162:20,22	25 25054:15 25055:17	51.6 25094:18,23
wrong 25119:24	Zulus 25032:14	142 25162:24,25	25055:22,23	52 25028:22 25124:6,9
wrote 25053:16	Zyl 25033:10 25034:10	25163:1,2	25089:14 25153:3	52.7 25124:10
	25035:4	15 25034:2,3 25124:23	259 25063:3 25160:7	53 25124:12,13,14,19
X	Zyl's 25035:3	15 th 25162:13	26 25011:9,22 25134:15	55 25028:22
X 25007:25 25009:9,13	Lyi s 25055.5	15:25 25160:25	25153:8	55 25020.22
A 25007.25 25009.9,15 25009:13,16	0	16 25027:19,24	25 155.8 27 25153:12	6
25024:15,18	000 25038:8,9 25140:23	25105:15 25106:9,16	27 25063:10	6 25026:19,24 25060:15
		25105:15 25106:9,16		
25029:25 25033:12	01 25103:25		28 25051:17 25052:18	25096:6 25104:17,20
25034:12 25035:6	011 25103:25 25107:12	16th 25056:23	25053:9 25054:3	25105:10
25038:5 25039:8	09:13 25005:2	25098:16,17 25099:1	25055:5,9,24	63 25094:8 25096:10
25040:2,24 25041:7	09:32 25017:10	25099:24 25103:21	25153:17	65 25096:14
25045:17 25087:13	09:52 250 30:15	25103:22,25	29 25009:4,5 25153:22	66 25096:15
25132:8	0962 25093:20 25094:4	25106:19 25109:23	29I 25007:12	
Xhosa 25030:21	0963 25094:21	25115:1,21 25116:6		7
25031:14,16 25032:7	0963.JPG 25094:11	25117:4 25118:3,18	3	7 25006:19 25140:5
25032:10,12	0964 25094:21,21	25120:6 25125:2	3 25013:16 25034:16	70 25028:19
ARCHIVE FO	8 JUSTICE	1	1	1

		[[Page
72 25028:19 76 25134:15,16,17				
8				
3 25018:22 25019:3				
25060:15 25135:20				
9				
25011:9,22 25020:20 25047:6 25054:18				
25062:15 25139:1,4,5				
25139:9 25169:14 mm 25153:1				
4 25015:1				
40 25060:10				
	54			
RC C C CC	Part Of-			
As	It's / It la			
home, par	10 to trave			
ARCHIVE EOR	M Mary OTH			