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 21 27 NOVEMBER 2012

PAGES 2239 TO 2287

HELD AT

CIVIC CENTRE, RUSTENBURG, NORTH WEST PROVINCE



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Marikana Commission of Inquiry

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1	Page 2239 [PROCEEDINGS ON 27 NOVEMBER 2012]	1	Page 2241 MR BRUINDERS SC: You made a statement
2	[09:35] CHAIRPERSON: The Commission resumes. Mr	2	which we handed up to the commissioners this morning, did
3	Bruinders, are you in a position to lead your witness this	3	you not?
4	morning?	4	MR MATHUNJWA: That's correct.
5	MR BRUINDERS SC: Ja.	5	MR BRUINDERS SC: Is your statement true
6	CHAIRPERSON: Good. Have you got copies	6	and correct?
7	of the statement for us?	7	MR MATHUNJWA: Yes, it's true and
8	MR BRUINDERS SC: We do.	8	correct.
9	CHAIRPERSON: Ms Pillay will tell us the	9	MR BRUINDERS SC: Do you confirm that
10	exhibit number, I hope.	10	under oath?
11	MS PILLAY: Chair, I think it's Exhibit	11	MR MATHUNJWA: Yes, I do confirm.
12	NN	12	MR BRUINDERS SC: I would like to start
13	CHAIRPERSON: Thank you, NN. Mr	13	this morning by asking you a few questions about the demand
14	Bruinders, do you want to make some introductory remarks	14	of the rock drill operators, may I?
15	before you call your witness or do you just want to put	15	MR MATHUNJWA: Yes, you may proceed.
16	him, send him to the witness stand?	16	CHAIRPERSON: Mr Bruinders, where is that
17	MR BRUINDERS SC: No, Chair, we call Mr	17	in the statement or is it not – I just ask you that because
18	Mathunjwa.	18	if it isn't in the statement then I must write it down but
19	CHAIRPERSON: Mr Mathunjwa, are you	19	if it's somewhere in the statement, if you can refer us to
20	prepared to take the oath or do you wish to affirm?	20	the relevant paragraph number so we can follow.
21	MR MATHUNJWA: Yes, I'm prepared to take	21	MR BRUINDERS SC: It's referred to
22	an oath.	22	peripherally in the statement, sir. I suppose you'd better
23	CHAIRPERSON: Would you stand, please?	23	take a note about this.
24	Do you swear that the evidence you will give before this	24	CHAIRPERSON: Thank you.
25	Commission will be the truth, the whole truth and nothing	25	MR BRUINDERS SC: We've all heard that
1 2	Page 2240 but the truth. Please raise your right hand and say, I swear, so help me God.	1 2	Page 2242 the demand was a demand for an increase to R12 000,00, R12 500,00 a month, not so?
3	MR MATHUNJWA: Help me God.	3	MR MATHUNJWA: Yes, we heard about it.
4	CHAIRPERSON: I swear, so help me God.	4	MR BRUINDERS SC: Whose demand was that?
5	JOSEPH VUSI MATHUNJWA: I swear, so help	5	MR MATHUNJWA: That was workers' demand.
6	me God.	6	MR BRUINDERS SC: Which workers?
7	CHAIRPERSON: Thank you, you may be	7	MR MATHUNJWA: Lonmin workers.
8	seated.	8	MR BRUINDERS SC: And what category of
9	MR MATHUNJWA: Thank you.	9	workers were they?
10	CHAIRPERSON: Yes, Mr Bruinders?	10	MR MATHUNJWA: Those were referred to as
11	EXAMINATION BY MR BRUINDERS SC: Thank	11	rock drill operators.
12	you. Good morning again, Mr Mathunjwa.	12	MR BRUINDERS SC: The rock drill
13	MR MATHUNJWA: Good morning.	13	operators who are employed at Lonmin, are they members of
14	MR BRUINDERS SC: Mr Mathunjwa, can I ask	14	trade unions?
15	you, when you do give your answers, to speak up	15	MR MATHUNJWA: Yes, I believe that some
16	sufficiently so that you can be heard over the system.	16	they belong to trade unions.
17	MR MATHUNJWA: Thank you.	17	MR BRUINDERS SC: And when you say some
18	MR BRUINDERS SC: Mr Mathunjwa, you are -	18	belong to trade unions, which trade unions are those?
19	CHAIRPERSON: What are your full names?	19	MR MATHUNJWA: I'll refer to our trade
20	MR MATHUNJWA: My full name is Joseph	20	union, AMCU, Association of Mineworkers and Construction
21	Vusi Mathunjwa.	21	Union, and I also believe some they belong to National
22	CHAIRPERSON: Thank you.	22	Union of Mineworkers.
23	MR BRUINDERS SC: Mr Mathunjwa, you are	23	MR BRUINDERS SC: When did you first hear
24	the President of AMCU?	24	 I beg your pardon, before I ask that – you say that the
			domand was the domand of the reak drill operators
25	MR MATHUNJWA: That's correct.	25	demand was the demand of the rock drill operators.

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_	Page 2243		Page 2245
1	MR MATHUNJWA: That's correct.	1	CHAIRPERSON: As far as you're aware, did
2	MR BRUINDERS SC: Who formulated the	2	that lead to a desire on the part of rock drill operators
3	demand?	3	at other platinum mines to get a similar increase?
4	MR MATHUNJWA: I believe the workers	4	MR MATHUNJWA: I cannot testify to that
5	themselves.	5	effect, it would be just a speculation.
6	MR BRUINDERS SC: What role did AMCU play	6	CHAIRPERSON: Thank you, Mr Bruinders,
7	in the formulation of that demand?	7	that was the matter I wanted to cover before you proceed
8	MR MATHUNJWA: No role whatsoever AMCU	8	with the evidence you're now going to lead.
9	played into those demands.	-	MR BRUINDERS SC: Thank you, Chair. I
10 11	MR BRUINDERS SC: When was the first time that you got to hear about the demand for an increase to	10 11	asked whether you had your statement in front of you. MR MATHUNJWA: Yes, I do have.
12	12 500 a month by rock drill operators at Lonmin?	12	MR BRUINDERS SC: And as the Chair
12	MR MATHUNJWA: I first heard on the 13th	12	pointed out, we're now dealing with that part of your
14	of August 2012.	14	statement that you find at paragraphs 12 through to 14 of
15	MR BRUINDERS SC: Before we deal with	15	your statement. I'm not going to ask you to read that, I
15	what you heard on the 13th, can I ask you to go back just a	16	simply want to pick up on a few things that arose out of
17	little bit please?	17	your exchange with Mr Mokwena. Now you say this was a
18	MR MATHUNJWA: Okay.	18	telephone call?
19	MR BRUINDERS SC: Before the 13th, were	19	MR MATHUNJWA: That's correct.
20	there exchanges between you and Lonmin management about	20	MR BRUINDERS SC: And after he alerted
21	rock drill operators?	21	you to the fact that there was possibly going to be a march
22	MR MATHUNJWA: Yes. Towards the end of	22	where people were going to deliver a memorandum, what did
23	July I received a call coming from one of the senior	23	you say to him?
24	managers by the name of Barnard Mokwena, alerting me that	24	MR MATHUNJWA: I advised him that he
25	he heard the rumour that there will be workers who will be	25	should arrange an urgent meeting with all stakeholders,
1	Page 2244		Page 2246
1	marching, bringing the memorandum.	1	referring to AMCU, NUM, Solidarity and UASA. MR BRUINDERS SC: The stakeholders that
2 3	MR BRUINDERS SC: Did you say – CHAIRPERSON: I'm sorry to interrupt you,	2	MR BRUINDERS SC: The stakeholders that you talk of are all trade unions at Lonmin?
	CHAIRPERSON: I'm sorry to interrupt you, Mr Bruinders. What the witness is now testifying about	4	-
4 5	appears to be covered by paragraphs 5 and – sorry, 12 and	4 5	MR MATHUNJWA: Yes. MR BRUINDERS SC: What was Mr Mokwena's
6	following –	6	response to your request?
7	MR BRUINDERS SC: Correct.	7	MR MATHUNJWA: In actual fact I – sorry,
, 8	CHAIRPERSON: On page 5.	8	in fact he said to me he will communicate with the general
9	MR BRUINDERS SC: That's correct. You do	9	secretary of National Union of Mineworkers, Mr Frans
, 10	have your statement in front of you?	10	Baleni, and then he will revert back to me.
11	MR MATHUNJWA: Yes, I do.	11	MR BRUINDERS SC: Did Mr Mokwena come
12	CHAIRPERSON: Could I interpose for a	12	back to you about this meeting that you proposed he call?
13	moment and just ask him a question about something that	13	MR MATHUNJWA: No, he never returned back
14	happened before that, before you then carry on with the	14	to me.
15	narrative? Were you aware of the fact that there had been	15	MR BRUINDERS SC: Now when you say he
16	an earlier increase granted by another platinum mine in the	16	never returned back to you, do you mean he never returned
17	area, Implats, in respect of which I think was – we'll have	17	back to you about that proposal or that he never returned
18	evidence on it, presumably but I think it was in respect of	18	back to you at all during this period?
19	rock drill operators. Do you know anything about that?	19	MR MATHUNJWA: He never returned back to
• •	MR MATHUNJWA: Yes, I heard about that.	20	me with the proposal of the meeting.
20	A 1 569.7 1 8 1	21	MR BRUINDERS SC: This was an exchange in
	CHAIRPERSON: Mr Interpreter, it's not		6
20	CHAIRPERSON: Mr Interpreter, it's not Amplats, it's Implats - Impala Platinum, not Anglo American	22	late July, not so?
20 21	~ / 30 () (/ h		late July, not so? MR MATHUNJWA: That's correct.
20 21 22	Amplats, it's Implats - Impala Platinum, not Anglo American	22	-
20 21 22 23	Amplats, it's Implats - Impala Platinum, not Anglo American Platinum. Am I correct in thinking it was an increase	22 23	MR MATHUNJWA: That's correct.

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1	Page 2247 MR MATHUNJWA: I heard from Mr Mokwena on	1	Page 2249 topic, it might be – otherwise we'll run out of letters –
			we might make it 001 through to 007 and beyond.
2	the 10th of August 2012. MR BRUINDERS SC: Did he telephone you	2	MR BRUINDERS SC: There won't be a lot
3	1 5	3	
4	again?	4	but there will be some more letters, not on the same topic
5	MR MATHUNJWA: Indeed.	5	but I suppose it is a very reasonable suggestion you made,
6	MR BRUINDERS SC: What did he tell you?	6	Chair, so we –
7	MR MATHUNJWA: Mr Mokwena advised me that	7	CHAIRPERSON: I always try to make
8	there are people who will be marching, that will be	8	reasonable suggestions, I don't always succeed.
9	bringing the memorandum to them.	9	[09:55] MR BRUINDERS SC: Can we hand up three
10	MR BRUINDERS SC: Did he say anything	10	copies for the Commission and then one for Mr Mathunjwa, he
11	else about this memorandum or the march?	11	doesn't have a copy. Commissioner, do you have a copy? Mr
12	MR MATHUNJWA: He said he was not in the	12	Mathunjwa, is that the letter that you sent off on 10
13	position to receive that memorandum, it will be received by	13	August 2012?
14	the SAPS.	14	MR MATHUNJWA: That's correct.
15	MR BRUINDERS SC: When he told you that	15	MR BRUINDERS SC: Please read it into the
16	there was a march that day, did he tell you who was on the	16	record?
17	march?	17	MR MATHUNJWA: Thank you. The letter
18	MR MATHUNJWA: No, he said he doesn't	18	dated the 10th of August 2012, attention Mr Barnard Mokwena,
19	know those people who are at the march.	19	EVP Human Capital and External Affairs, Lonmin Platinum,
20	MR BRUINDERS SC: Did you say anything to	20	Karee Mine and the e-mail, "Dear Sir, Re employees marching
21	Mr Mokwena?	21	at Lonmin. The above matter refers. Our telephonic
22	MR MATHUNJWA: Yes, and then I reminded	22	conversation today, the 10th of August 2012 refers. As AMCU
23	him of my earlier discussion around July, saying you phoned	23	we are not aware of any march directed to the employer. We
24	me and subsequent to that I made a proposal for an urgent	24	only knew about this when you made this telephonic
25	meeting, which that meeting never took place. And I	25	conversation. However, as AMCU we propose that whoever
3 4 5 6 7 8 9 10 11 12 13	again with all the stakeholders, namely, our union AMCU, NUM, Solidarity and UESA and I also advised him that we needed to meet and this must not set any precedents that the memorandum will be received by police. He must tell the police that he will be receiving that memorandum, must tell those workers that this does not set any precedents whatsoever. It should have to be dealt with in the structures within the company and I therefore – CHAIRPERSON: In your career as a trade unionist, have you ever come across a situation before where an employer has refused to receive a memorandum from	3 4 5 6 7 8 9 10 11 12 13	Bullet 2, "Any employee who forms part of this gathering we believe belongs to an a) trade union which is recognised by management and its branch structure. For non-unionised employees there are management structures dealing with grievances. Hence, if there are issues of concern, should be communicated via such structures. This memorandum will be communicated by management to respective recognised unions and a meeting will be co-ordinated to discuss the content of the memorandum." Turn over the page. "Thereafter, the outcome of such consultation will be communicated back to the members through union structures.
14	workers and said it must be received by the police instead?	14	including mass meetings. We urge management not to take
15	MR MATHUNJWA: That was my first	15	extreme measures in addressing this predicament by not
16	experience. After that I then wrote him a letter.	16	giving undue recognition to these sinister forces which are
<u> </u>	MR BRUINDERS SC: Can we stop there and	17	not known to ourselves. As AMCU we suspect that there are
17		18	forces behind this which, as leaders, we must address
17 18	ask the interpreter to interpret and make sure that the	1	
	Commission gets copies of your letter.	19	amicably. All our rights and that of our members are
18	Commission gets copies of your letter.		amicably. All our rights and that of our members are reserved. Yours in social justice, Mr Joseph Mathunjwa,
18 19 20	Commission gets copies of your letter. CHAIRPERSON: This will be Exhibit OO,	20	reserved. Yours in social justice, Mr Joseph Mathunjwa,
18 19 20 21	Commission gets copies of your letter. CHAIRPERSON: This will be Exhibit OO, unless you want to make it – are there more letters? In	20 21	reserved. Yours in social justice, Mr Joseph Mathunjwa, President."
18 19 20 21 22	Commission gets copies of your letter. CHAIRPERSON: This will be Exhibit OO, unless you want to make it – are there more letters? In which case we could make it OO1 and then run through. No,	20 21 22	reserved. Yours in social justice, Mr Joseph Mathunjwa, President." MR BRUINDERS SC: Commissioners, the
 18 19 20 21 22 23 	Commission gets copies of your letter. CHAIRPERSON: This will be Exhibit OO, unless you want to make it – are there more letters? In which case we could make it OO1 and then run through. No, we've already got NN, so the next exhibit number is OO but	20 21 22 23	reserved. Yours in social justice, Mr Joseph Mathunjwa, President." MR BRUINDERS SC: Commissioners, the letter is at page 106 of the AMCU bundle.
 18 19 20 21 22 23 24 	Commission gets copies of your letter. CHAIRPERSON: This will be Exhibit OO, unless you want to make it – are there more letters? In which case we could make it OO1 and then run through. No,	20 21 22	reserved. Yours in social justice, Mr Joseph Mathunjwa, President." MR BRUINDERS SC: Commissioners, the

1	Dawa 0054		Dama 2052
1	Page 2251 106 on the top right hand corner.	1	Page 2253 MR MATHUNJWA: Can you repeat your
2	MR BRUINDERS SC: You might, but I don't	2	question again?
3	think that the rest of my colleagues have a copy of it in	3	MR BRUINDERS SC: What, if anything, did
4	front of them, so it's for their benefit that I mention -	4	AMCU do about this application brought by Lonmin?
5	CHAIRPERSON: Do they have copies of the	5	MR MATHUNJWA: From our – among ourselves
6	bundle?	6	we phoned the respective structures referring to the NEC
7	MR BRUINDERS SC: They do.	7	members, that we have received such document and as AMCU we
8	CHAIRPERSON: I see.	8	will never oppose it.
9	MR BRUINDERS SC: Yes. Mr Mathunjwa, you	9	MR BRUINDERS SC: Why not?
10	sent this letter off to Mr Mokwena?	10	MR MATHUNJWA: The reason was to prevent
11	MR MATHUNJWA: That's correct.	11	the ongoing unlawful strike.
12	MR BRUINDERS SC: Did Mr Mokwena, in	12	MR BRUINDERS SC: When you say the reason
13	response to this letter, organise a meeting as you	13	was to prevent the unlawful strike, what do you mean?
14	proposed?	14	MR MATHUNJWA: Yes, we couldn't stand in
15	MR MATHUNJWA: No, there was no response	15	the way where the company wants to prevent something that
16	from this letter.	16	is not lawful.
17	MR BRUINDERS SC: Can I now ask you to –	17	CHAIRPERSON: You are saying that you
18	whether, I beg your pardon, I can ask you some questions	18	didn't- that you decided not to oppose the application
19	about a strike by the rock drill operators that started, it	19	because you were not aware that there was any defence that
20	appears, on the 10th of August 2012. Lonmin brought an	20	could be raised to it because the strike was unprotected?
20	application to interdict what it called an unlawful strike	21	MR MATHUNJWA: Yes and also as AMCU we
22	on 10 August 2012, not so?	22	never called any strike, as far as the union is concerned.
23	MR MATHUNJWA: That's correct.	23	MR BRUINDERS SC: Do you know who called
24	MR BRUINDERS SC: When did you hear that	24	a strike at Lonmin on the 10th?
25	Lonmin had brought that application?	25	MR MATHUNJWA: I don't know who called
_			
	Page 2252		Page 2254
1	MR MATHUNJWA: The office phoned me on	1	the strike but I will believe it's the workers themselves.
2	the very same day, maybe during lunch time if I'm not	2	MR BRUINDERS SC: What role did AMCU play
3	mistaken.	3	in the calling of that strike started on that Friday by the
4	MR BRUINDERS SC: Where were you when you	4	workers?
5	were telephoned?		
1		5	MR MATHUNJWA: We never played any role
6	MR MATHUNJWA: I was not at the office.	5 6	MR MATHUNJWA: We never played any role in calling of the strike.
6 7		-	MR MATHUNJWA: We never played any role in calling of the strike. MR BRUINDERS SC: When did you get to
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7 8 9 10	MR MATHUNJWA: I was not at the office. MR BRUINDERS SC: What were you told by your office? MR MATHUNJWA: They informed me that they have received a document from Lonmin with – an application.	6 7 8 9 10	MR MATHUNJWA: We never played any role in calling of the strike. MR BRUINDERS SC: When did you get to know more about the strike? MR MATHUNJWA: I think I happened to know more in detail on the 13th of Jugust 2012.
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	Page 2255		Page 2257
1	MR MATHUNJWA: He asked for the	1	call from Mr Kwadi.
2	intervention and said that there's violence at the mine, so	2	MR MATHUNJWA: That's correct.
3	we –	3	MR BRUINDERS SC: And what did you decide
4	MR BRUINDERS SC: Commissioners, for your	4	as a result of those discussions?
5	benefit, we're now at paragraph 23 of the statement.	5	MR MATHUNJWA: Then I recommended that
6	CHAIRPERSON: Thank you.	6	comrade general secretary and the national organiser should
7	MR BRUINDERS SC: So he phoned and asked	7	leave for Lonmin.
8	for your intervention because there was violence. So what	8	MR BRUINDERS SC: And who are these two
9	did you say?	9	people?
10	MR MATHUNJWA: Then I asked him about	10	MR MATHUNJWA: The general secretary is
11	other leaders, where were other leaders of other	11	Jeffrey Mphahlele.
12	organisations and then he said to me they had those leaders	12	CHAIRPERSON: Could you spell that,
13	on the previous day, which was on Sunday the 12th of August	13	please?
14	2012, and therefore I asked him why we were not invited	14	MR BRUINDERS SC: Could you spell
15	because we requested the meeting, we even sent the letter	15	Mphahlele, please?
16	to yourselves on the 10th. Then there was no answer, but	16	MR MATHUNJWA: It's M-P-H-A-H-L-E-L-E.
17	subsequent to that, since there were other few comrades in	17	The second one was Dumisane Nkalitshani, national
18	the office, I called an urgent meeting quickly. Then I	18	organiser.
19	explained the call that I've received from Lonmin by Mr	19	MR BRUINDERS SC: You'll have to spell
20	Kwadi, Jomo Kwadi.	20	that as well, I'm afraid. You're going to have to spell
21	MR BRUINDERS SC: Can I, before we deal	21	that as well.
22	with the rest of the events of the 13th, ask you this - did	22	MR MATHUNJWA: Dumisane or Nkalitshani,
23	Lonmin make an attempt to try and get hold of you on the	23	which?
24	weekend?	24	MR BRUINDERS SC: Nkalitshani.
25	MR MATHUNJWA: I would say, but I	25	MR MATHUNJWA: It's N-K-A-L-T-S-H- sorry
1	Page 2256	1	Page 225
1	realised that there was an SMS that was forwarded to	1	- it's N-K-A-L-I, Nkali, T-S-H-A-N-I.
2	myself, I think that was on Sunday but I only realised that	2	MR MADLANGA SC: They are mentioned in
3	SMS in the course of the week. It happened not for me to	3	paragraph 20(a) of his statement, Mr Chairman.
4	see it. That was from Mr Barnard Mokwena.	4	[10:15] MR BRUINDERS SC: Sir –
5	MR BRUINDERS SC: Did you not see the SMS	5	MR MATHUNJWA: Yes, on page 7, thank you.
6	on Sunday, you say?	6	MR BRUINDERS SC: You asked them to go to
7	MR MATHUNJWA: Yes, that's correct.	7	Lonmin?
8	MR BRUINDERS SC: And you say you saw it	8	MR MATHUNJWA: That's correct.
9	later in the week. Do you recall when that was?	9	MR BRUINDERS SC: For what purpose?
10	MR MATHUNJWA: I cannot specifically	10	MR MATHUNJWA: To go and find out about
11	recall.	11	the call we received from management and then I also
12	MR BRUINDERS SC: And do you remember	12	mentioned that they must, they need to meet the branch
13	what the SMS said?	13	committee and also meet the management as per their
14	MR MATHUNJWA: Yes, I think I could	14	request.
15	remember.	15	MR BRUINDERS SC: Did you go with them to
16	MR BRUINDERS SC: Will you tell the	16	Lonmin?
17	Commission what it said?	17	MR MATHUNJWA: No, didn't go with them.
18	MR MATHUNJWA: The SMS, if I could	18	MR BRUINDERS SC: Did they report back to
19	recall, was saying, "Hey broer, there are four people shot	19	you on their visit to Lonmin on the 13th?
20	at Wonderkop, so therefore call an urgent meeting with your	20	MR MATHUNJWA: Yes, they did report on
1000	members," something to that effect. I might not be 100%	21	the following day which was on the 14th, the morning of the
21	members, something to that effect. Thight hot be 10078		444 64 40040
- 373	but it was to that effect.	22	14th of August 2012.
21 22 23	() () () () () () () () () ()	22 23	MR BRUINDERS SC: We're now moving on to
22	but it was to that effect. MR BRUINDERS SC: Can we go forward to		MR BRUINDERS SC: We're now moving on to
22 23 24	but it was to that effect. MR BRUINDERS SC: Can we go forward to	23	-

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1	MR BURGER SC: Chair, just before that	1	experiences of statements being published here and we
2	question is answered, may I ask through you, my learned	2	haven't seen any supporting evidence. So if my learned
3	friend and I have agreed that the witness will give	3	friend wants to lead evidence –
4	evidence on the basis that my side will file statements	4	CHAIRPERSON: I'll tell you what, I'll
5	which might deal with his evidence. Can I ask whether	5	take a short adjournment, Mr Bruinders and you can then
6	these witnesses referred to are to be called and whether we	6	discuss the matter, he will tell you what the report is
7	will see statements from them or whether this is hearsay	7	that is going to be given by his client – it won't
8	from the witness? I don't object but in fairness, I'd like	8	obviously be part of the formal proceedings of the
9	to know what I'm facing.	9	Commission. You may well find that it's not of a nature to
10	CHAIRPERSON: It seems a fair request, Mr	10	cause you concern, in which case he can carry on,
11	Bruinders, are you able to respond to it now?	11	alternatively we can deal with it further in the light of
12	MR BRUINDERS SC: We haven't file	12	the discussion that you have.
13	statements for those two witnesses.	13	MR BURGER SC: Chair, that's not going to
14	CHAIRPERSON: We wish to know – we know	14	be of assistance. I know what the report is, it's in the
15	that – the question is, are you going to because Mr Burger	15	statement. I would object to that, if that evidence was to
16	says he needs to know that so he can arrange his affairs	16	be tendered without a supporting statement. That's why -
17	accordingly, as I understand it.	17	we realised last night that we haven't seen these
18	MR BRUINDERS SC: I'd have to take an	18	statements and that's why I raise it before the evidence is
19	instruction on whether we're going to file because the	19	given into the open. Paragraph 28 –
20	purpose of filing a statement would be because we're going	20	CHAIRPERSON: Mr Bruinders, I think as a
21	to call them –	21	matter of fairness, Mr Burger is correct and I must uphold
22	CHAIRPERSON: No, no, but there's a	22	his objection. Do you wish to take the instructions that
23	further point that arises. What Mr Burger is also saying	23	you were talking about now, in which case I'll give you a
24	is, if you're not going to file such statements and	24	short adjournment to do that?
25	presumably call the witnesses if necessary, if there's a	25	MR MADLANGA SC: Mr Chairman, may I ask
	Page 2260		Page 2262
1	dispute, then the evidence that the witness is now going to	1	to make a submission on this subject, please?
2	give will be hearsay and you will object to it on that	2	CHAIRPERSON: Yes.
3	basis, as I take it. He nods his head, so I'm correct. So	3	MR MADLANGA SC: Thank you. Mr Chairman,
4	it's important to know whether, what you're going to do in	4	I take a different view to the submission made by Mr
5	this regard otherwise I will have to deal with an objection	5	Burger. My understanding is that in Commission hearings
6	based on the fact that the evidence he's now going to give	6	hearsay evidence is admissible. The only issue would just
7	is hearsay. Obviously he can give hearsay if the people	7	be the question of the weight to be attached to the
8	whose statements he's reporting are going to be called, or	8	evidence. May I refer to a decided case on the matter, the
9	if statements are presented, filed from them with which Mr	9	case of –
10	Burger's side agree, in which case obviously there won't be	10	CHAIRPERSON: You are correct –
11	a problem. That's the point Mr Burger raises and I don't	11	MR MADLANGA SC: Yes.
12	know how we can deal with it. One way to deal with it	12	CHAIRPERSON: But it's a question of
13	might be, I suppose, to go on to something else for the	13	weight. Also in terms of the regulations, I have a
14	moment until you receive those instructions during the tea	14	discretion to disallow evidence and so I would be able to
15	adjournment, but also it may not be possible for you, in	15	rule, even though it's hearsay - even though it technically
16	presenting the narrative, to do it that way. I don't know.	16	could be admissible in the Commission, it wouldn't be
17	MR BRUINDERS SC: Well, the other way to	17	appropriate to do so, depending upon the prejudicial nature
18	deal with it, Mr Chair, is that he gives evidence about not	18	of the statement. But I don't want to interrupt you but
19	the report, not because he wants to prove the truth of its	19	that's just my –
20	contents but because he wants to give evidence as to what	20	MR BRUINDERS SC: Can I make –
21	happened as a result of that report being given which is,	21	CHAIRPERSON: - response to what you
22	at this stage, the point of the narrative.	22	said.
23 24	CHAIRPERSON: Mr Burger? MR BURGER SC: We'll object to that.	23	MR BRUINDERS SC: Can I relieve all of
.0.	MR BURGER SC: We'll object to that. We're in the public eye and we've had unfortunate	24 25	you of your pain? I'll move on and we'll deal with that later on. I don't want to – I'm not going to lead that
		20	ater on. I don't want to - Thi not going to lead that

Ι.	Page 2263		Page 2265
1	evidence, the report, I'll move on to the next issue and	1	section of the evidence including the direct –
2	insofar as we –	2	MR BRUINDERS SC: Thank you, Chair, and
3	CHAIRPERSON: Well, that's what I	3	we are indebted to Mr Madlanga for pointing that out. Mr
4	suggested. You carry on with something else and you can	4	Mathunjwa, you say that you met with your colleagues who'd
5	come back to this after tea if you've sorted out the	5	gone off to Lonmin on the morning of the 14th.
6	problem that's been referred to.	6	MR MATHUNJWA: That's correct.
7	MR BRUINDERS SC: Yes.	7	MR BRUINDERS SC: What did you decide to
8	CHAIRPERSON: Mr Madlanga, I don't know	8	do at the end of that meeting?
9	if there's anything further you want to say. I didn't want	9	MR MATHUNJWA: We decided to call a press
10	to be discourteous to you.	10	conference.
11	MR MADLANGA SC: Yes. No, I just wanted	11	MR BRUINDERS SC: Why?
12	to say I hear you, Mr Chairman, when you say you have a	12	MR MATHUNJWA: It was based on the report
13	discretion. That's a totally different matter and Mr	13	and based on what is being said on the media.
14	Burger's approach was not addressing itself to the	14	MR BRUINDERS SC: Did you, for the
15	discretion that you have, it was proceeding on the basis	15	purpose of your press conference, release a media
16	that hearsay evidence can be objected to in the same way as	16	statement?
17	- at least as I understood the submission – the same way	17	MR MATHUNJWA: Yes indeed.
18	that one can do that in a court of law. All that I wanted	18	MR BRUINDERS SC: Commissioner, can I ask
19	to place before the Commission is that that is the wrong	19	that the media statement be handed up?
20	way of going about it, hearsay evidence is admissible.	20	CHAIRPERSON: Yes. That'll be OO7, it's
21	Then the issue of a colleague then saying, but because this	21	OO2. I don't know why I –
22	will be prejudicial for A, B, C, D reasons and I ask the	22	MR BRUINDERS SC: You're rather quick on
23	Commission to then exercise a discretion, totally different	23	the draw this morning, sir.
24	matter and I was at the point where I wanted to refer to	24	CHAIRPERSON: Pardon?
25	the decided case. I don't know whether that's worth	25	MR BRUINDERS SC: You're rather quick on
	Page 2264		Page 2266
1	anything, seeing that the Commission can –	1	the draw this morning.
2	CHAIRPERSON: It may be, seeing the point	2	CHAIRPERSON: Yes, I'm afraid so. OO2.
3	has been raised now, to refer to the case.	3	MR MADLANGA SC: You've got a licence to
4	MR MADLANGA SC: Yes.	4	kill, Mr Chairman.
5	CHAIRPERSON: This problem may well arise	5	CHAIRPERSON: No, yesterday's evidence.
6	from time to time in the future of the Commission and let's	,	
		6	MR BRUINDERS SC: Thank you. Do you have
7	get the law on the point.	7	the media statement in front of you, Mr Mathunjwa?
8	MR MADLANGA SC: It's the matter of	7 8	the media statement in front of you, Mr Mathunjwa? MR MATHUNJWA: That's correct.
8 9	MR MADLANGA SC: It's the matter of Bongoza, that's B-O-N-G-A-Z-A, v Minister of Correctional	7 8 9	the media statement in front of you, Mr Mathunjwa? MR MATHUNJWA: That's correct. MR BRUINDERS SC: Could I please ask you
8 9 10	MR MADLANGA SC: It's the matter of Bongoza, that's B-O-N-G-A-Z-A, v Minister of Correctional Services & Others 2002 (6) SALR 330 (Tk), it's a judgment	7 8 9 10	the media statement in front of you, Mr Mathunjwa? MR MATHUNJWA: That's correct. MR BRUINDERS SC: Could I please ask you to read it out?
8 9 10 11	MR MADLANGA SC: It's the matter of Bongoza, that's B-O-N-G-A-Z-A, v Minister of Correctional Services & Others 2002 (6) SALR 330 (Tk), it's a judgment of Mr Justice Jafta in which he relies on an oldish	7 8 9 10 11	the media statement in front of you, Mr Mathunjwa? MR MATHUNJWA: That's correct. MR BRUINDERS SC: Could I please ask you to read it out? MR MATHUNJWA: "Date 14 August 2012,
8 9 10 11 12	MR MADLANGA SC: It's the matter of Bongoza, that's B-O-N-G-A-Z-A, v Minister of Correctional Services & Others 2002 (6) SALR 330 (Tk), it's a judgment of Mr Justice Jafta in which he relies on an oldish judgment by Innes, I'm not sure whether Innes JA or Innes	7 8 9 10 11 12	the media statement in front of you, Mr Mathunjwa? MR MATHUNJWA: That's correct. MR BRUINDERS SC: Could I please ask you to read it out? MR MATHUNJWA: "Date 14 August 2012, Media release statement. Good morning ladies and
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Rustenburg

		1	
	Page 2267		Page 2269
1	believe that any form of violence can bring about changes	1	important to state that we also suspect some sinister
2	at the workplace, nor it can benefit anyone. May their	2	forces behind this situation. Before the report about
3	souls rest in peace. Now let me deal with the issue of	3	RDOs' demands, we learn that NUM started an intensive
4	Lonmin workers' demands. During mid-July we received a	4	campaign where they said, reclaiming Lonmin back. This
5	telephone call from the middle management of Lonmin	5	campaign is ongoing and it is even involving top officials
6	Platinum who stated that they got rumours that RDOs were	6	from the ruling party. These top officials have been
7	planning to make salary adjustment demands on their own.	7	conducting mass meetings with workers, saying all bad
8	We immediately advised the management not to set a	8	things about AMCU and urging workers to go back to NUM.
9	precedent by trying to entertain these individual demands	9	Who knows, maybe it is part of the strategy and later blame
10	but urged management to be proactive and co-ordinate an	10	AMCU for all the bad things in order for AMCU to be
11	urgent meeting for all recognised unions so that this issue	11	portrayed as a bad union. For your information, Lonmin
12	will be dealt with speedily to avoid similar situations as	12	management has served NUM with notice to terminate their
13	it happened at Impala Platinum.	13	recognition agreement in October 2012 should they be unable
14	Subsequent to that call, Mr Barnard Mokwena, who	14	to obtain majority status" –
15	is a senior group HR director, also phoned saying the same	15	CHAIRPERSON: Mr Bruinders, is it
16	thing. We again urged him to arrange a meeting but	16	necessary for him to read the following section dealing
17	unfortunately mid-management kept quiet afterwards. All of	17	with Aquarius Platinum? I would have thought that that's
18	a sudden, we were informed by our branch executive members	18	not directly relevant, unless you want to persuade me that
19	at Lonmin that management is urging RDOs on the matter and	19	it is, in which case he can pick up the letter on the
20	that some offers have been made, which was rejected by	20	following page –
21	RDOs. This happened despite our appeal to Lonmin	21	MR BRUINDERS SC: Yes.
22	management to deal with the trade unions on the matter.	22	CHAIRPERSON: - the paragraph beginning
23	Last week Friday we received information that all	23	"In conclusion."
24	RDOs had decided to submit a memorandum to Lonmin	24	[10:35] MR BRUINDERS SC: Yes, Chair. Could you
25	management in the form of a march. They all gathered	25	please go to the second last paragraph of your statement
	Page 2268		Page 2270
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2	together at Karee and proceeded to Wonderkop Mine to meet with the RDOs there so that they will all proceed to the	2	and then resume reading from that paragraph onwards, Mr Mokwena – Mr Mathunjwa?
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1	Page 2271 a fortune. This shortfall will not disappear simply	1	Page 2273 MR BRUINDERS SC: Chair, could we at this
2	because you dismiss workers and re-employ them on new	2	point allow the interpreter to interpret?
3	conditions. It is better to seek long-lasting solutions	3	CHAIRPERSON: Well, I'm glad you raised
4	that will assist the industry, rather than to resort to	4	that. I wanted to raise the following point with you,
4 5	short term solutions that will make the situation worse.	5	whether it wouldn't be appropriate perhaps for the
	It is high time we think out of the box and pull together		interpretation to be done during the tea adjournment. In
6		6	other words, we listen up to the tea adjournment and then
7	in saving jobs and stopping violence. This is not about	7	
8	individuals, it is about the nation."	8	the interpreter can be brought a cup of tea if necessary,
9	MR BRUINDERS SC: Mr Mathunjwa, you said	9	and then he interprets. There are two of them, aren't
10	earlier that it was decided to call a press conference, do	10	there, so they can take turns and interpret it during the
11	you remember that?	11	tea adjournment so we don't waste time that way. That's
12	MR MATHUNJWA: Yes, I do remember.	12	just – I'm putting that to you for your response.
13	MR BRUINDERS SC: Did you participate in	13	MR BRUINDERS SC: I think that the – I
14	that press conference?	14	suppose some of the family members here are family members
15	MR MATHUNJWA: Yes, I did participate.	15	of members of AMCU and they probably do want to hear, they
16	MR BRUINDERS SC: And for how long did	16	want to hear the –
17	that carry on?	17	CHAIRPERSON: I'm not suggesting it
18	MR MATHUNJWA: It continued until the	18	shouldn't be interpreted. I just made a suggestion as to
19	late hours of the afternoon, to the afternoon, yes –	19	when it should be interpreted, in a way which wouldn't use
20	dinner, lunch time.	20	up too much of our time. This programme normally runs from
21	MR BRUINDERS SC: Can I please ask you	21	about 10 past eight till 9 o'clock. Admittedly there are –
22	now to turn your attention to the 15th of August and you	22	there's a news bulletin and the adverts and traffic reports
23	deal with this in your statement from paragraph 30 onwards,	23	and so on, but even so, it will take quite some time for
24	do you see that?	24	the whole debate to be played to us, but I'm in your hands
25	MR MATHUNJWA: Yes, I do see it.	25	to some extent.
	Page 2272		Page 2274
1	Page 2272 MR BRUINDERS SC: Now, did you	1	Page 2274 MR BRUINDERS SC: Thankfully all the
1 2	-	1 2	
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	Page 2275		Page 2277
1	when.	1	[12:41] [INTERVIEW PLAYED]
2	MR MADLANGA SC: May I offer some	2	MR BRUINDERS SC: I think, Chair, we're
3	suggestion, Mr Chairman? I would assume that the families	3	skipping the calls to get to the end of the interview.
4	also would like to take tea when we take tea but that being	4	[INTERVIEW PLAYED]
5	aside, if it is an hour long programme there will come a	5	CHAIRPERSON: Page 43.
6	time when there is going to be no tea, when it has to be	6	MR BRUINDERS SC: Correct.
7	interpreted. Perhaps a via media would be to the extent	7	[INTERVIEW PLAYED]
8	that the interpreter can deal with what has already been	8	[13:01] [INTERVIEW PLAYED]
9	done, he can do that but when we resume I can't see any	9	CHAIRPERSON: As Mr Gwala says, I think
10	other way in which it can be done other than to take it	10	we can wrap it up at that point.
11	piecemeal – in other words, I would suggest that –	11	MR BRUINDERS SC: Yes, sir.
12	CHAIRPERSON: Forgive me if I'm being	12	CHAIRPERSON: We'll take the lunch
13	discourteous, I don't mean to be discourteous. It's now	13	adjournment now. We'll restart at seven minutes past two.
14	already five to 11. Let's take the tea adjournment now,	14	[COMMISSION ADJOURNS COMMISSION RESUMES]
15	the interpreter's problem is he would like to read it, as I	15	[14:09] CHAIRPERSON: The Commission resumes. Mr
16	understand. Let him read it during the tea adjournment,	16	Bruinders?
17	we'll take tea, let everybody take tea – as you say, even	17	MR BRUINDERS SC: I hope he's not gone to
18	the people in the auditorium are entitled to have tea and	18	the mountain.
19	we'll resume after tea and then we'll carry on in the way	19	CHAIRPERSON: I see. We haven't got
20	that's been suggested.	20	another quick witness we can interpose – oh, Ms Pillay,
21	MR MADLANGA SC: Thank you, Mr Chairman.	21	while we're waiting for Mr Mathunjwa to come back from the
22	CHAIRPERSON: The Commission will adjourn	22	mountain or wherever he's gone, have you got that letter
23	for tea.	23	for us? I think it's Exhibit R, the letter about the
24	[COMMISSION ADJOURNS COMMISSION RESUMES]	24	rubber.
25	[11:21] CHAIRPERSON: The Commission resumes.	25	MS PILLAY: Chairperson, I do have the
1	Page 2276	1	Page 2278
1	MR BRUINDERS SC: Yes Chair, the point we	1	letter. It's just, if I can be excused, I'll get it.
2	MR BRUINDERS SC: Yes Chair, the point we were at is that the interpreter needed some time to	2	letter. It's just, if I can be excused, I'll get it. CHAIRPERSON: Alright. In a good cause
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Page 2 meeting that we were to engage on with the management Lonmin as per the interview by Xolani Gwala. MR BRUINDERS SC: So was an arrangement made that you meet at Lonmin? MR MATHUNJWA: That's correct. MR BRUINDERS SC: And who was at – I beg your pardon, did a meeting then take place? MR MATHUNJWA: Indeed it took place. MR BRUINDERS SC: And who was at that meeting? MR BRUINDERS SC: And who was at that meeting? MR MATHUNJWA: It was myself and the general secretary and the branch committees of AMCU at th mine. And then there was the SAPS general who was prese who was introduced as General Mpembe and also two office ladies, whom I can't recall what was their names and also the President of National Union of Mineworkers and the	of1the interpreter have a copy of the transcript, do you?2MR MATHUNJWA:I've given mine to the3interpreter. Apparently there's one that is being4arranged.5MR BRUINDERS SC:Good. Can we have the6recording played?7CHAIRPERSON:Here you are, I see we've8just been handed copies of Exhibit T, the letter sent by9the Provincial Commissioner operational response on the 20th10of December 2011, which has been outstanding for some time.11Thank you very much.12[RECORDING PLAYED]ent,13CHAIRPERSON:14be turned –15[RECORDING PLAYED]16CHAIRPERSON:17Can the volume not be
 other comrades from NUM who were present. MR BRUINDERS SC: And was there anybody from Lonmin present? MR MATHUNJWA: Yes and also there was the management representative, Mr Barnard Mokwena, a representative – that means one of the senior managers, Barnard Mokwena – and Mr Kwadi and Mr Patrick and other whom I couldn't, I can't recall their names. MR BRUINDERS SC: Is there a recording of 	 17 turned up? The sound's about as clear as the water cannon 18 video camera that's covered in mud. 19 MR BRUINDERS SC: We'll ask for the 20 volume to be turned up. 21 [RECORDING PLAYED] 22 [14:29] [RECORDING PLAYED] 23 [14:49] [RECORDING PLAYED] 24 [15:09] [RECORDING PLAYED] 25 CHAIRPERSON: Stop the recording. There
Page 2 1 that meeting? 2 MR MATHUNJWA: Yes, I've seen the script 3 of the meeting that was recorded. 4 MR BRUINDERS SC: Chair, we now ask 5 permission to play the recording, we think it's important 6 that we listen to it. It's also – it's not a video 7 recording, it's obviously some kind of digital voice 8 recording. There is a transcript of the recording as we 9 CHAIRPERSON: We'll be given the 10 transcript before we listen to the recording? 11 MR BRUINDERS SC: I beg your pardon, s 12 CHAIRPERSON: Will we be given the 13 transcript before we listen to the recording? 14 MR BRUINDERS SC: Yes, we'll hand it up 15 now. 16 CHAIRPERSON: Right, thank you. Will 17 this be OO3? 18 MR BRUINDERS SC: Yes. 19 MS PILLAY: Mr Chairperson, if I may just 20 interrupt? According to my notes, OO3 is the audio clipt 21 the SAfm interview, so this should be – 22 CHAIRPERSON: OO4? 23 MS PILLAY: Yes, that's right. 24 CHAIRPERSON: Thank you. 25 MR BRUINDERS SC: Mr Mathunjwa, you a	1 seems to be something wrong with our microphones here and 2 loudspeakers, they're making funny noises and lights are 3 flashing. I was going to take the tea adjournment in five 4 minutes. It may help those who are having, finding it 5 difficult to keep awake, if I take it now and the 6 microphones can be attended to in the meanwhile. 7 MR MADLANGA SC: - direction we are 8 losing here, Mr Chairman. 9 9 [COMMISSION ADJOURNS COMMISSION RESUMES] 10 [15:28] CHAIRPERSON: The Commission resumes. 11 I've been asked to ask all concerned to be careful when 12 12 they walk around that they don't tread on the microphone 13 13 cords. That apparently was the cause of the trouble. The 14 microphones have now been fixed and if everybody will keep 15 their feet off the cords then hopefully we won't have a 16 problem again. I think we can now return – I don't have 17 to, I suppose I must remind you, you're under oath although you're probably not going to have to say anything. We 19 18 you're probabl

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	Page 2283		Page 2285
1	MR BRUINDERS SC: Thank you. Mr	1	waiting while the NUM was still going for a caucus.
2	Mathunjwa, we've just listened to a recording, have we not?	2	MR BRUINDERS SC: When you got to the JOC
3	MR MATHUNJWA: Yes, we did.	3	did you meet up with the SAPS and NUM?
4	MR BRUINDERS SC: And was that a	4	MR MATHUNJWA: Yes, when we got there,
5	recording of the meeting of the 13th?	5	there was NUM, SAPS and management.
6	MR MATHUNJWA: The 15th.	6	MR BRUINDERS SC: There's video footage
		7	
7	MR BRUINDERS SC: I beg your pardon, of	/	that has been shown in this Commission of your interaction
8	the 14th August 2012.	8	there, that's AMCU's interaction with the SAPS. Have you
9	MR MATHUNJWA: Yes, indeed it is.	9	seen that?
10	MR BRUINDERS SC: And do you confirm	10	MR MATHUNJWA: I think I haven't seen it.
11	under oath that that recording is an accurate recording of	11	MR BRUINDERS SC: Well, let me then set
12	what took place in the meeting?	12	your mind at rest. There was some video footage shown here
13	MR MATHUNJWA: Yes, it is.	13	last week which showed you interacting with the SAPS and I
14	MR BRUINDERS SC: At about what time did	14	think a Colonel Macintosh, about how you were going to go
15	this meeting finish?	15	to the koppie. You don't know this?
16	MR MATHUNJWA: It was quite late, even	16	MR MATHUNJWA: I'm not suggesting that
17	though I couldn't remember quite clearly.	17	there was no interaction or whatsoever, but maybe when it
18	MR BRUINDERS SC: And we know from the	18	was played here in the Commission I was not present on that
19	recording that the NUM had requested time to caucus, not	19	day.
20	so?	20	MR BRUINDERS SC: You say you don't
		20	dispute there was interaction. Did you talk to the SAPS at
21	MR MATHUNJWA: That's correct.		
22	[16:08] MR BRUINDERS SC: Did people leave the	22	the JOC about how to get to the koppie?
23	meeting?	23	MR MATHUNJWA: Correct, we did.
24	MR MATHUNJWA: Yes, the NUM delegation	24	MR BRUINDERS SC: Did you later on go to
25	left the boardroom and the SAPS left the boardroom. We	25	the koppie?
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1	were the only union left behind.	1	MR MATHUNJWA: Yes, after that process
2	MR BRUINDERS SC: And for how long did	2	was explained then we left to the koppie.
3	you wait in the boardroom?	3	MR BRUINDERS SC: And who did you go
4	MR MATHUNJWA: We waited more than 30	4	with?
5	minutes, if I could remember, it's quite long but we waited	5	MR MATHUNJWA: In my delegation it was
6	quite some time.	6	myself, Joseph Vusi Mathunjwa, and national organiser
7	MR BRUINDERS SC: Did anybody return to	7	Dumisane Nkalitshani and our Karee chairperson, Mr Jombo.
8	the boardroom where you were waiting?	8	MR BRUINDERS SC: Did members of the SAPS
		_	
9	MR MATHUNJWA: No-one returned to the	9	go with you?
10	boardroom where we were.	10	MR MATHUNJWA: Yes, we were taken firstly
11	MR BRUINDERS SC: What did you then do?	11	by one of the Vito, small buses, Mercedes Benz minibus.
12	MR MATHUNJWA: Then I phoned Mr Jomo	12	MR BRUINDERS SC: And after you were
13	Kwadi, asking about their whereabouts.	13	taken in this minibus, were you taken in another vehicle?
14	MR BRUINDERS SC: What did he say?	14	MR MATHUNJWA: Yes, we were taken to
	-		another vehicle which they called what Nycle or which
15	MR MATHUNJWA: He responded by saying I	15	another vehicle which they called – what, Nyala or – which
	-	15 16	is commonly known as Hippos during the days of the
15	MR MATHUNJWA: He responded by saying I		
15 16	MR MATHUNJWA: He responded by saying I must come to the place which I called the police camp,	16	is commonly known as Hippos during the days of the
15 16 17	MR MATHUNJWA: He responded by saying I must come to the place which I called the police camp, which it happened to be known as a JOC in this Commission.	16 17	is commonly known as Hippos during the days of the struggle.
15 16 17 18	MR MATHUNJWA: He responded by saying I must come to the place which I called the police camp, which it happened to be known as a JOC in this Commission. MR BRUINDERS SC: Is that where you went? CHAIRPERSON: Mr Bruinders, when you	16 17 18	is commonly known as Hippos during the days of the struggle. MR BRUINDERS SC: And did you then at the koppie address the strikers who were gathered there?
15 16 17 18 19 20	MR MATHUNJWA: He responded by saying I must come to the place which I called the police camp, which it happened to be known as a JOC in this Commission. MR BRUINDERS SC: Is that where you went? CHAIRPERSON: Mr Bruinders, when you reach an appropriate point, indicate it and we can take the	16 17 18 19 20	is commonly known as Hippos during the days of the struggle. MR BRUINDERS SC: And did you then at the koppie address the strikers who were gathered there? MR MATHUNJWA: Yes, indeed.
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 2287 MR BRUINDERS SC: Is this an appropriate time? CHAIRPERSON: The Commission will adjourn until 9:30 tomorrow morning. [COMMISSION ADJOURNED]	
R. A.S.		

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