

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 224

30 APRIL 2014

PAGES 27641 TO 27722



© REALTIME TRANSCRIPTIONS

64 10th Avenue, Highlands North, Johannesburg
P O Box 721, Highlands North, 2037
Tel: 011-440-3647 Fax: 011-440-9119 Cell: 083 273-5335
E-mail: realtime@pixie.co.za
Web Address: <http://mysite.mweb.co.za/residents/pak06278>



Page 27641

1 [PROCEEDINGS ON 30 APRIL 2014]
 2 [10:38] CHAIRPERSON: The Commission resumes
 3 somewhat later than was expected because some of those
 4 counsel who are participating in the proceedings were
 5 caught in a major traffic jam on the highway. Lieutenant-
 6 Colonel, you're still bound by the affirmation that you
 7 made.
 8 SALMON JOHANNES VERMAAK: (affirms
 9 further).
 10 CHAIRPERSON: Before Mr Semenya continues
 11 with his cross-examination, I was visited in chambers this
 12 morning by Mr Bizos who indicates that he wants to raise an
 13 objection and I was subsequently informed by Mr Fischer
 14 that he's also going to raise an objection, make a
 15 submission of some kind. So we'd better deal with that
 16 first. Mr Bizos?
 17 MR BIZOS SC: We object to the admission
 18 of the document of which we were informed this morning by
 19 Mr Pretorius, the senior attorney instructing our learned
 20 friends for the police. The reasons for our objection to
 21 the admission of the document are the following. Today is
 22 the 12th day on which this witness is in the witness box.
 23 He has been cross-examined by I don't know how many of my
 24 colleagues, including ourselves. No notice was given to us
 25 of this document throughout the proceedings, nor was it

Page 27642

1 submitted to the Commission until apparently a day or two
 2 ago. We have not yet seen a copy of it and no explanation
 3 has been furnished to us as to why a senior attorney, who
 4 on the information given to us is a document which was
 5 recorded by him at a consultation with one of the members
 6 of the evidence leaders. So it's not something that they
 7 had to search for, Mr Chairman, and a very strong
 8 explanation will be necessary to be furnished, and credible
 9 explanation, before the Commission actually admits this
 10 document. It is going to delay the proceedings by at least
 11 a number of days, if not a week. Why? We do not know –
 12 CHAIRPERSON: Why is it going to delay
 13 proceedings for that lengthy period?
 14 MR BIZOS SC: I beg your pardon?
 15 CHAIRPERSON: Why is it going to delay
 16 the proceedings for that lengthy period?
 17 MR BIZOS SC: Because all of us, Mr
 18 Chairman, if it is a relevant document in order to try and
 19 discredit this witness, we want an opportunity to ask him
 20 questions, each one of us, and let me say that it may well
 21 be that the days or a week may be hyperbole on my part, but
 22 any time that is spent after 12 days to deal with a lengthy
 23 document is not fair and it's not in accordance with the
 24 administration of justice, Mr Chairman, irrespective of the
 25 period, with respect.

Page 27643

1 Now Mr Chairman, witnesses, whether they are
 2 police officers or not, probably know that they can trust
 3 lawyers with whom they consult. If they are to be informed
 4 that they will give evidence, the fact that it has been
 5 recorded has got to be brought to his notice and given an
 6 opportunity whether he's prepared to speak to them and that
 7 they were going to record it. We are informed, Mr
 8 Chairman, reliably I would submit by the evidence leader,
 9 that there was no such option available to the witness in
 10 order to determine whether he was willing to be recorded in
 11 what is generally regarded as confidential between attorney
 12 and client. We are informed further, Mr Chairman –
 13 CHAIRPERSON: I'm sorry, before you go
 14 on, on what you were informed further, on what basis can it
 15 be contended that an interview between one of the evidence
 16 leaders, who is not counsel for the witness but who in fact
 17 is counsel for what one can describe as a quasi party,
 18 namely evidence leaders –
 19 MR BIZOS SC: I'm sorry, Mr Chairman –
 20 CHAIRPERSON: On what basis can it be
 21 said that an interview between one of the evidence leaders
 22 who is not counsel for the witness but in fact counsel for
 23 what one can describe as a quasi party, namely the evidence
 24 leaders as such, and the witness could be described as
 25 quasi –

Page 27644

1 MR BIZOS SC: We are informed by the
 2 evidence leader – and let him speak for himself, Mr
 3 Chairman – that he was there but so was Mr Pretorius. Why
 4 was Mr Pretorius there, Mr Chairman?
 5 CHAIRPERSON: Normally when a party's
 6 witness is interviewed by another party or quasi party –
 7 MR BIZOS SC: Yes.
 8 CHAIRPERSON: - the witness's legal
 9 representative is present, or the legal representative of
 10 the party proposing to call the witness. Now I understand
 11 that at the time of the interview Colonel Vermaak was still
 12 regarded as a client of Mr Pretorius and was still a
 13 witness whom the police were intending to call. But if
 14 that's correct, let's take it into a litigation context, if
 15 the defendant says I want to, my counsel wants to consult
 16 with the plaintiff's witness and that consultation takes
 17 place, the plaintiff is entitled to be present, or his
 18 legal representative, during the interview. Now was Mr
 19 Pretorius's presence not there solely because he was
 20 representing the SAPS, and in fact as I understand it the
 21 witness at the time, and another party or quasi party to
 22 the Commission wished to interview the witness, if you
 23 wanted to interview Colonel Vermaak and had requested
 24 permission to do so I imagine Mr Pretorius would have been
 25 present there as well. So what –

Page 27645

1 MR BIZOS SC: Yes.

2 CHAIRPERSON: So what is the significance

3 of Mr Pretorius's presence?

4 MR BIZOS SC: No, Mr Chairman, it's

5 common cause that the witnesses had made a statement way

6 back on the 12th of December 2012, which was not consistent

7 with the official police version. I don't know that there

8 is any doubt about that, Mr Chairman. If the evidence

9 leaders say that we want to interview you and you are

10 entitled to bring your attorney with you, and the attorney

11 does not warn the witness that I am going to record what

12 you are saying to the evidence leader and what I have

13 recorded will be made available and may be used in evidence

14 against you, that is an obvious precaution which a fair

15 practitioner would avail himself of in the particular

16 circumstances. We are informed that that did not happen,

17 Mr Chairman, and to ask on the 12th day after the various

18 cross-examinations of this witness to answer questions

19 which were recorded by Mr Pretorius, and I am sure that the

20 reason for it is to pick up some contradiction or other

21 which may assist the police in the version that, one of the

22 versions that they are now putting up, it is not fair to

23 the witness and it is not in the interests of the

24 administration of justice, Mr Chairman.

25 Mr Chairman, delays in a matter such as this are

Page 27646

1 to be avoided. There has to be a very, very cogent excuse

2 or reason given to you as to why this document was kept

3 under wrap by the police if in fact it was relevant to the

4 issues before the Commission –

5 CHAIRPERSON: I must just tell you, I was

6 informed that it wasn't kept under wraps, as you put it; it

7 was in fact, a copy was sent to Mr Wesley some time after –

8 I'm not quite sure how long after – the interview took

9 place. Is that correct, Mr Wesley?

10 MR WESLEY: Chair, I've been trying to

11 work out. The actual typed transcript, I don't recall

12 receiving it, but I've had a debate with Mr Pretorius; he

13 says he sent the audio, an audio file. It may be, I don't

14 know. He says both. I can't find it, but it could very

15 well have happened.

16 CHAIRPERSON: What I'm interested in is

17 when.

18 MR WESLEY: I don't know.

19 CHAIRPERSON: Anyway, let's not get

20 involved in a sideshow on that issue. The point is it

21 doesn't appear, if that's correct, that this was kept under

22 wraps. If a copy of the audio file, i.e. the actual

23 soundtrack of the interview was sent to Mr Wesley and to

24 the witness and some time after the interview took place –

25 when did the interview take place? Do we know? Mr Wesley,

Page 27647

1 do we know when the interview took place?

2 MR WESLEY: I will have a quick look.

3 I'll be able to tell you know, Judge.

4 CHAIRPERSON: But it was some time ago?

5 MR WESLEY: Yes, it was some time – it

6 was last year –

7 CHAIRPERSON: Last year, right.

8 MR WESLEY: September approximately, if

9 I'm not mistaken.

10 CHAIRPERSON: Okay, some time last year.

11 Anyway, sorry, I'm interrupting you, Mr Bizos.

12 MR BIZOS SC: Yes. Now Mr Chairman –

13 CHAIRPERSON: I'm interrupting you to

14 indicate that I'm not sure whether your submission that

15 this was kept under wraps until the last minute is

16 factually well-founded.

17 MR BIZOS SC: Well, I will accept an

18 explanation that my learned friends give, but Mr Chairman,

19 you strictly call on us to disclose the documents which we

20 are going to use in the cross-examination of witnesses. If

21 this is an important document which the attorney of record

22 had recorded, why wasn't it disclosed with the documents –

23 CHAIRPERSON: [Microphone off, inaudible]

24 what happened was, you know there's a bit of background

25 here that I'm not sure if you're aware of. Originally Mr

Page 27648

1 Semenya was going to cross-examine the witness. It then

2 occurred to the police after certain points had been put to

3 them by others that it would not be appropriate for Mr

4 Semenya, who consulted with the witness, to cross-examine

5 him. Mr Semenya then indicated to me in chambers that he

6 was not going to cross-examine the witness - in fact that

7 was why the witness stood down – that they were going to

8 get an outside counsel to cross-examine the witness. That

9 they did. It then appeared that that counsel would only be

10 available some time in July, August. So I then said that

11 that was not satisfactory to keep the witness in a state of

12 suspense for that long period, and in any event the time

13 during which this Commission would be able to sit was

14 running out. The witness then indicated that he was

15 prepared to waive any rights he had to object to being

16 cross-examined by Mr Semenya.

17 I may say that before that waiver was made, I'm

18 not even sure if the witness was aware of this but Mr

19 Semenya had told me in chambers that he had no intention of

20 cross-examining him in any way on things that were said in

21 consultation with him, and in those circumstances, in the

22 light of that undertaking, which I have no reason to doubt

23 the sincerity of, and in view of the waiver made by the

24 witness I was prepared to allow Mr Semenya to cross-

25 examine.

Page 27649

1 But that whole process took up a lot of time.
 2 The witness, I'm reminded, was in fact advised to seek his
 3 own legal representation throughout. That point was made
 4 to him repeatedly and I understand it was suggested that
 5 the police would even pay for that, but it never got that
 6 far because the witness said he was quite happy that an
 7 evidence leader should lead his evidence and he didn't want
 8 legal representation, but he was advised of his rights in
 9 that regard as well.

10 The point I'm making is because of the fact that
 11 the witness stood down after everybody else had cross-
 12 examined, for the police to get their chance to cross-
 13 examine once it was sorted out he was going to go into
 14 cross-examination, the documents upon which the police
 15 sought to rely were only produced at a late stage, but they
 16 were sent electronically I understand, I think it was on
 17 Sunday. The witness was given a copy of, an electronic
 18 copy of the documents and I asked him whether he'd read – I
 19 think I asked him, I didn't ask him about the transcript.
 20 I asked him about the complaint of misconduct which he had
 21 read. But anyway, the point is he was sent a copy, as I
 22 understand it. We were given copies yesterday morning.
 23 The reason why the documents were forthcoming late is I
 24 think clear from the narrative I've given of circumstances
 25 in which it came about, that this witness's cross-

Page 27650

1 examination stood over and was only to be resumed
 2 yesterday. But there was apparently also, I'm reminded,
 3 difficulty or trouble in regard to opening the electronic
 4 version of some of the documents that were sent.

5 But anyway, that as I understand it is the basis,
 6 or the reason rather for the fact that these documents were
 7 only forthcoming at this comparatively late stage. But
 8 anyway, but please continue with your argument. I'm sorry
 9 to interrupt you, but I thought I should put those on
 10 record –

11 MR BIZOS SC: Thank you, Mr Chairman.
 12 CHAIRPERSON: - because they are relevant
 13 in regard to some of the points you raised.

14 MR BIZOS SC: Thank you, Mr Chairman, and
 15 I want to thank my learned friend Mr Semenya for his
 16 original attitude that he was reluctant to cross-examine a
 17 witness who was their client. It strengthens my argument
 18 that his attorney did not follow his example, Mr Chairman.
 19 It strengthens my argument, with respect –

20 CHAIRPERSON: Sorry, I don't follow that
 21 point –

22 MR BIZOS SC: Well, let me try and
 23 explain, Mr Chairman.

24 CHAIRPERSON: No, no, please explain it
 25 to me.

Page 27651

1 MR BIZOS SC: Mr Semenya was absolutely
 2 right and in accordance with the traditions of our
 3 profession that if you have acted for a person you do not
 4 cross-examine him, but here was an instance where the
 5 attorney actually recorded a conversation with the witness.
 6 I haven't heard whether he's going to say that he warned
 7 the witness that he was going to record it, but this
 8 document I'm sure came to Mr Semenya's notice as late as it
 9 came to you and us, with respect, and the question is it's
 10 too much to ask this witness that it's your choice as to
 11 whether you want to claim the privilege or not. It's too
 12 complicated a matter, Mr Chairman –

13 CHAIRPERSON: I'm sorry, what privilege
 14 was there –

15 MR BIZOS SC: And I think with respect –

16 CHAIRPERSON: I'm sorry, Mr Bizos. What
 17 privilege was there? I can understand if this was a
 18 consultation between the Colonel and his legal
 19 representatives, or a legal representative for him, but
 20 what happened was this is a consultation between the
 21 Colonel and one of the evidence leaders, who was not his
 22 counsel. There was no attorney/client relationship, or
 23 advocate/client relationship between them at the time, and
 24 Mr Pretorius was there in his capacity as attorney for the
 25 witness in order essentially to ensure that nothing

Page 27652

1 untoward happened in this consultation with someone who
 2 wasn't the legal representative of the party, of the
 3 witness. So I don't understand on what basis it can be
 4 contended that this was a privileged occasion. If it was a
 5 privileged occasion obviously it will be a totally
 6 different situation, but unless you can satisfy me that
 7 there is a privilege attaching to the communications which
 8 were recorded, then I'm afraid I don't understand your
 9 argument.

10 MR BIZOS SC: Well, with the greatest
 11 respect we submit that it was a privileged occasion, Mr
 12 Chairman. Whenever my attorney or even my ex-attorney is
 13 recording what I am saying to someone else in respect of a
 14 matter in which I am to give evidence, the occasion is a
 15 privileged one, Mr Chairman.

16 CHAIRPERSON: Have you got authority for
 17 that proposition?

18 MR BIZOS SC: Mr Chairman –

19 CHAIRPERSON: Because I must confess I
 20 haven't seen authority –

21 [10:58] MR BIZOS SC: I haven't had an
 22 opportunity. I have not had an opportunity because this
 23 was sprung on us early this morning when we arrived, but I
 24 am sure that with the Chairman's experience and the
 25 assessors' experience –

| | |
|---|---|
| <p style="text-align: right;">Page 27653</p> <p>1 CHAIRPERSON: Not assessors –</p> <p>2 MR BIZOS SC: - the question of attorney</p> <p>3 and client privilege –</p> <p>4 CHAIRPERSON: I'm sorry to interrupt you,</p> <p>5 Mr Bizos; not assessors, co-Commissioners.</p> <p>6 MR BIZOS SC: Commissioner, yes. The</p> <p>7 Commissioners, Mr Chairman, and you are sufficiently senior</p> <p>8 in our profession –</p> <p>9 CHAIRPERSON: Mr Bizos, it may be –</p> <p>10 MR BIZOS SC: - to understand the</p> <p>11 situation –</p> <p>12 CHAIRPERSON: No –</p> <p>13 MR BIZOS SC: - of the attorney and</p> <p>14 client relationship –</p> <p>15 CHAIRPERSON: Mr Bizos, I'm sorry to</p> <p>16 interrupt you. I'm grateful for the compliments that</p> <p>17 you've made to my Commissioners and even to me, although I</p> <p>18 do not deserve them, but the mere fact that we are</p> <p>19 experienced doesn't give us a detailed knowledge of what</p> <p>20 can in some respects be a complicated branch of the law.</p> <p>21 May I make a suggestion? In view of the fact</p> <p>22 that we've lost a lot of time this morning because of the</p> <p>23 traffic jam to which I referred, it sounds as if Mr Semenya</p> <p>24 won't be able to finish his cross-examination today. It</p> <p>25 also may well be that he has enough material to cross-</p> | <p style="text-align: right;">Page 27655</p> <p>1 they'll have the opportunity also. I don't think that</p> <p>2 that's an offer you can decline, Mr Bizos.</p> <p>3 MR BIZOS SC: I have been informed,</p> <p>4 because I obviously discussed this with the persons that</p> <p>5 have cross-examined the witness, they are in support of the</p> <p>6 application that the document should be excluded and I am</p> <p>7 sure that it is a matter of some importance and as time-</p> <p>8 consuming as it may be, I would accept the suggestion made</p> <p>9 by you, Mr Chairman.</p> <p>10 CHAIRPERSON: Thank you. So on that</p> <p>11 basis then Mr Semenya, you will continue your cross-</p> <p>12 examination but you will keep away from the document today</p> <p>13 and you will only deal with it once we've finished dealing</p> <p>14 with this matter, and of course you will obviously also</p> <p>15 have an opportunity to look at the law and make submissions</p> <p>16 on the matter insofar as you consider it necessary. In the</p> <p>17 meanwhile of course Mr Bizos will have an opportunity to</p> <p>18 study the transcript, as I did last night, and there may be</p> <p>19 something in it which I didn't notice, but I must confess I</p> <p>20 was surprised that there's any concern about what's in the</p> <p>21 transcript, but as I say, there may be something that, the</p> <p>22 full significance of which I didn't appreciate. But you</p> <p>23 may feel that many of your fears will be allayed when</p> <p>24 you've actually had the opportunity to peruse the</p> <p>25 transcript, but that's a matter which we don't have to go</p> |
| <p style="text-align: right;">Page 27654</p> <p>1 examine for the rest of the day, because we understood he</p> <p>2 was going to finish either at the end of yesterday or</p> <p>3 reasonably early in today's sitting, so travel arrangements</p> <p>4 were made on the basis that we would not sit beyond 1</p> <p>5 o'clock, which can't be changed now. I think the travel</p> <p>6 arrangements have just been communicated to me by my cell</p> <p>7 phone, which I shouldn't have had on, but Mr Semenya, if</p> <p>8 you are going to cross-examine on other material until 1</p> <p>9 o'clock then, and this transcript you're not going to</p> <p>10 touch, then it seems to me the sensible way for us to</p> <p>11 proceed is to allow Mr Semenya to carry on now.</p> <p>12 We're adjourning today until the 8th of May</p> <p>13 because apart from Friday, which is a day when it's</p> <p>14 pointless to come back after the holiday tomorrow, the</p> <p>15 chambers are either not available or, the chamber is</p> <p>16 actually not available to us on Monday and it won't be</p> <p>17 available in any event on Tuesday on Wednesday because the</p> <p>18 whole area is going to be used for the election, so we're</p> <p>19 resuming on the 8th. That gives you ample time, apart from</p> <p>20 the time you will spend considering how you are going to</p> <p>21 cast your vote, if you're going to, to do research on this</p> <p>22 matter and you can resume the argument with full citation</p> <p>23 of authority on Thursday morning. That seems to be the</p> <p>24 practical sensible way, and if any of the other parties</p> <p>25 want to assist us with their submissions on the point</p> | <p style="text-align: right;">Page 27656</p> <p>1 into now. So Mr Semenya, can you proceed with your cross-</p> <p>2 examination?</p> <p>3 MR WESLEY: Chair –</p> <p>4 CHAIRPERSON: Mr Wesley?</p> <p>5 MR WESLEY: Yes, Chair, maybe just place</p> <p>6 two facts on record which might assist the parties with</p> <p>7 their argument. I've gone through my emails now and I can</p> <p>8 now confirm the transcript, the draft transcript – I call</p> <p>9 it a draft – was sent to the evidence leaders on the 28th of</p> <p>10 October 2013, the typed document. The voice, the sound</p> <p>11 recording was, there was an attempt to send that on the 8th</p> <p>12 of November, but that failed because the file was too large</p> <p>13 to be delivered. So that's the position. We received the</p> <p>14 transcript on 28th of October. We never followed up for the</p> <p>15 sound recording, the actual voice recordings.</p> <p>16 CHAIRPERSON: That's helpful. So I think</p> <p>17 the wraps under which it was allegedly kept appear to have</p> <p>18 disappeared like the morning mist –</p> <p>19 MR BIZOS SC: [Microphone off, inaudible]</p> <p>20 information, Mr Chairman.</p> <p>21 CHAIRPERSON: Yes, right, anyway, I did</p> <p>22 remind you, you're bound by your affirmation some time ago,</p> <p>23 but just in case you forgot, I'm reminding you again. Mr</p> <p>24 Semenya.</p> <p>25 MR SEMENYA SC: Thank you, Chair, and I</p> |

Page 27657

1 must thank the Commissioners for the indulgence I was
2 granted this morning.

3 CHAIRPERSON: It was not only you, but a
4 number of the others were all caught in what sounds like
5 the mother and father of traffic jams that you people were
6 caught in, but I'm glad you finally escaped and got here
7 safely.

8 CROSS-EXAMINATION BY MR SEMENYA SC (CONTD.):
9 Colonel, yesterday when we stopped we were dealing with the
10 prospects whether the cordon and search could have been
11 successful. You remember?

12 COLONEL VERMAAK: That's correct.

13 MR SEMENYA SC: And I said, I had put it
14 to you that the facts as we know them, the most militant
15 part of the crowd would have spent their night at koppie 3.
16 So your cordon and search of the hostels would not have
17 proved fruitful.

18 COLONEL VERMAAK: Chair, I don't think
19 there's any proof that it will not be successful.

20 MR SEMENYA SC: If the object of the
21 cordon and search was to take the arms from those who were
22 bearing them, they would have been at koppie 3. What
23 proof –

24 CHAIRPERSON: I'm sorry, they would have
25 been at?

Page 27658

1 MR SEMENYA SC: At koppie 3.

2 CHAIRPERSON: At koppie 3?

3 MR SEMENYA SC: Yes.

4 CHAIRPERSON: Well, that's on the
5 assumption that what Mr X says is correct, which may or may
6 not be so, but of course if they found, unless all the arms
7 were stored on koppie 3 they might still have found some
8 arms in the hostels or in the shacks in the informal
9 settlement. But anyway, that's a matter that you can take
10 further if you wish.

11 MR SEMENYA SC: Do you agree at least,
12 Colonel, that –

13 CHAIRPERSON: Before you ask him what he
14 agrees with, I see Ms Lewis has turned on her microphone,
15 she wants to say something.

16 MS LEWIS: Chair, I'm sorry, for the
17 benefit of all the parties would it be possible to have the
18 relevant paragraph of Mr X's statement be put up so that we
19 could all remember precisely what –

20 CHAIRPERSON: I don't think we need do it
21 now. As far as I can recall it's in the supplementary
22 statement, which isn't so very long, but if necessary I'm
23 sure Mr Semanya can find it and if he can't I'll look at my
24 copy and see if I can find it.

25 MS LEWIS: I'm just –

Page 27659

1 CHAIRPERSON: But we don't have to
2 interrupt the cross-examination now on that point.

3 MS LEWIS: I'm just not sure that the
4 allegation that Mr X makes is as broad as what Mr Semanya
5 has put it.

6 CHAIRPERSON: If you've got the statement
7 then perhaps you can refer to the passage you say is not as
8 broad as the proposition put by Mr Semanya.

9 MS LEWIS: I'll look for it, Mr Chair.

10 CHAIRPERSON: Mr Semanya, can you do
11 something else while Ms Lewis is looking? It depends how
12 long she's going to take.

13 MS LEWIS: Mr Chair, I suggest then that
14 we carry on. I don't have it immediately to hand.

15 CHAIRPERSON: My recollection was there
16 was some evidence about people being on koppie 3 with their
17 weapons. My impression was it wasn't everybody.

18 MS LEWIS: Ja.

19 CHAIRPERSON: And the evidence also seems
20 to indicate that some of the people went home every day
21 with their weapons and brought them back the next morning,
22 and some people even went home for lunch carrying their
23 weapons and came back after lunch. They took a lunch break
24 in the course of this gathering. So that seems to be the
25 evidence, but anyway – yes, Ms Pillay?

Page 27660

1 MS PILLAY: Chair, just to understand,
2 because there seems to have been a slight change between
3 the questioning yesterday and the questioning this
4 morning –

5 CHAIRPERSON: [Microphone off, inaudible]
6 today's questioning.

7 MS PILLAY: Yesterday the proposition was
8 put that the people stayed over at koppie 3 overnight.
9 This morning it was put that the armed group stayed over on
10 the koppie, koppie 3.

11 CHAIRPERSON: Whether they stayed with or
12 without their arms is a matter that Mr – yes, Ms Hemraj
13 just told me that she has particular recollection of what
14 Mr X says in this regard and perhaps you can tell us and
15 then we can shorten the debate and get on with the cross-
16 examination. But I take it, never mind what you said
17 yesterday; I'm interested in what you said today.

18 MR SEMENYA SC: May I tidy that so that
19 it does not create any confusion? At no point are we
20 holding that 3 000 people were sleeping at koppie 3. We
21 have always talked about the "makarapas" which Mr Noki was
22 the leader, and those are the ones Mr X says, "We were
23 sleeping at koppie 3" in his statement, and he's saying "We
24 chose koppie 3 for various strategic reasons. It was out
25 of access, we couldn't be seen," and we dealt with this

| | |
|---|--|
| <p style="text-align: right;">Page 27661</p> <p>1 thing in the application for the in-camera hearing.</p> <p>2 CHAIRPERSON: Alright, I think Ms Lewis</p> <p>3 would like you – and I think she's not alone in this – give</p> <p>4 us the paragraph number of Mr X's second statement in which</p> <p>5 that appears.</p> <p>6 MS PILLAY: Chair, it's LLL26, paragraph</p> <p>7 21.</p> <p>8 CHAIRPERSON: Triple L?</p> <p>9 MS PILLAY: LLL26, paragraph 21.</p> <p>10 CHAIRPERSON: There we are, and now we're</p> <p>11 going to see it on the screen, so all debate on the matter</p> <p>12 – we now see the passage that's relied on, and I think the</p> <p>13 submission put by Mr, well not the submission, the</p> <p>14 proposition put by Mr Semenya does accord with that</p> <p>15 statement. As I say, whether it's correct or not is a</p> <p>16 matter that can only be decided once Mr X has been cross-</p> <p>17 examined, but it's premature to go further into that</p> <p>18 matter.</p> <p>19 MR SEMENYA SC: The point, Colonel, I'm</p> <p>20 making I if that is found to be correct you would see that</p> <p>21 the group that was the makarapas were sleeping in koppie 3</p> <p>22 from the 11th already.</p> <p>23 COLONEL VERMAAK: Chair, yes. I also see</p> <p>24 that was according to Mr X only 50 people out of more or</p> <p>25 less 3 000.</p> | <p style="text-align: right;">Page 27663</p> <p>1 particular day, did you?</p> <p>2 COLONEL VERMAAK: No, I make the proposal</p> <p>3 that they must consider it.</p> <p>4 MR SEMENYA SC: In your proposal you did</p> <p>5 not specify any particular day in which in your judgment</p> <p>6 would have been the appropriate day for the cordon and</p> <p>7 search?</p> <p>8 COLONEL VERMAAK: I've made the proposal</p> <p>9 that they must consider my proposal. I explained to them</p> <p>10 why I'm saying so and at no stage there was a question put</p> <p>11 to me when did I think will be the best day to do it. As I</p> <p>12 already have mentioned previously Colonel Scott at one</p> <p>13 stage informed me that they have a plan and the plan is in</p> <p>14 place.</p> <p>15 MR SEMENYA SC: No, but that's –</p> <p>16 CHAIRPERSON: But do I understand your</p> <p>17 evidence from yesterday correctly that your proposal, as I</p> <p>18 understood you, was the cordon and search should be done</p> <p>19 first? You didn't say when it was to be done because that</p> <p>20 depended on when the tactical option was to be implemented,</p> <p>21 but your evidence of yesterday, as I understood it – and if</p> <p>22 I'm wrong you must please correct me – was that whenever</p> <p>23 the tactical option was implemented the first stage should</p> <p>24 be a cordon and search?</p> <p>25 COLONEL VERMAAK: That is correct, Chair.</p> |
| <p style="text-align: right;">Page 27662</p> <p>1 MR SEMENYA SC: Which 50 people?</p> <p>2 CHAIRPERSON: He said in the statement,</p> <p>3 about the middle, "Each time the larger group of the</p> <p>4 makarapas left the koppie for a mission, a group of about</p> <p>5 50 makarapas remained behind with the inyangas to protect</p> <p>6 and preserve the koppie," and then he goes on, "The</p> <p>7 makarapas and two inyangas permanently stayed and slept at</p> <p>8 the koppie." That's the passage the witness is referring</p> <p>9 to. His interpretation may not be entirely correct but</p> <p>10 that's a matter you can take up further with him.</p> <p>11 MR SEMENYA SC: He's wrong, but anyway,</p> <p>12 I'm interested in the inputs that you as an experienced POP</p> <p>13 member was making in the JOCCOM. I'm correct to have</p> <p>14 understood your evidence that you did not specify any</p> <p>15 particular day when that cordon and search was to happen?</p> <p>16 COLONEL VERMAAK: No, I didn't. I</p> <p>17 mentioned, I make a proposal that they must first consider</p> <p>18 a cordon and search before they are doing an encirclement</p> <p>19 because why I have already started warning them from the</p> <p>20 Sunday that this people will fight until they die. I've</p> <p>21 received Mr X's statement yesterday, I go through it last</p> <p>22 night and in several passages he also mentioned the same</p> <p>23 thing that I warned the senior members of.</p> <p>24 MR SEMENYA SC: My question is very</p> <p>25 narrow. In your proposal you did not mention any</p> | <p style="text-align: right;">Page 27664</p> <p>1 CHAIRPERSON: Is that the correct</p> <p>2 position?</p> <p>3 COLONEL VERMAAK: That is correct.</p> <p>4 COMMISSIONER HEMRAJ: And the cordon and</p> <p>5 search that you envisaged was in relation to the hostels</p> <p>6 only?</p> <p>7 COLONEL VERMAAK: That is correct, to</p> <p>8 start with your first steps with cordon and search, Chair,</p> <p>9 and as I said out of experience you will get a lot of</p> <p>10 dangerous weapons. Later after the Marikana incident, if I</p> <p>11 recall it correctly, it was around in September the police</p> <p>12 did a cordon and search and they have big successes</p> <p>13 removing dangerous weapons.</p> <p>14 CHAIRPERSON: Now you say a cordon and</p> <p>15 search to be done on the hostels. Was it only the hostels</p> <p>16 or did it also include the shacks in the informal</p> <p>17 settlement?</p> <p>18 COLONEL VERMAAK: Chair, the –</p> <p>19 CHAIRPERSON: A number of the workers had</p> <p>20 availed themselves of this so-called living-out allowance</p> <p>21 and were living in shacks in rather squalor –</p> <p>22 COLONEL VERMAAK: It was –</p> <p>23 CHAIRPERSON: - undignified circumstances</p> <p>24 in Nkaneng.</p> <p>25 COLONEL VERMAAK: It was built houses</p> |

| | |
|--|---|
| <p style="text-align: right;">Page 27665</p> <p>1 close to Marikana self, next to I think the shaft where the 2 first incident at the 13th happened where the policemen were 3 attacked. 4 COMMISSIONER HEMRAJ: At the time you 5 made the proposal you had no idea what proportion of the 6 strikers lived in the hostels as opposed to in the various 7 settlements around? 8 COLONEL VERMAAK: No. No, Chair. 9 COMMISSIONER HEMRAJ: Thank you. 10 CHAIRPERSON: All I'm interest in is was 11 your proposal in relation to a cordon and search, was that 12 only intended to cover cordoning off of the hostels and a 13 search in the hostels, or did it also include a search of 14 some, the shacks in the informal settlement? 15 COLONEL VERMAAK: At that stage it was 16 only included at the hostels, Chair. 17 CHAIRPERSON: I see. Thank you. 18 MR SEMENYA SC: Of course, Colonel, I'm 19 putting these questions to you with the stated position of 20 the SAPS that you did not make any suggestions in the 21 JOCCOM as a matter of fact. 22 COLONEL VERMAAK: Chair, I believe 23 Colonel Isaacs can maybe confirm that because why on my 24 input that this people is very dangerous he also give an 25 input that the CIG didn't have specific information at that</p> | <p style="text-align: right;">Page 27667</p> <p>1 during the morning and also then on the 15th and the 16th of 2 the morning. 3 CHAIRPERSON: So you didn't give it at a 4 JOCCOM meeting on the 14th, the Tuesday? 5 COLONEL VERMAAK: No, Chair. 6 CHAIRPERSON: But you gave it outside a 7 JOCCOM meeting to General Annandale – 8 COLONEL VERMAAK: To General Annandale – 9 CHAIRPERSON: - on the Tuesday, and the 10 evidence was he arrived later in the morning I think, and 11 you repeated it, you say, on the 15th and 16th? 12 COLONEL VERMAAK: That's correct. 13 CHAIRPERSON: Thank you. 14 MR SEMENYA SC: You do make the 15 distinction between talking to General Annandale and making 16 contribution in a JOCCOM meeting. You do have that 17 distinction in mind? 18 COLONEL VERMAAK: That is correct. 19 MR SEMENYA SC: And you're not referring 20 to conversations that you would have had with any of the 21 members outside of the JOCCOM meeting? 22 COLONEL VERMAAK: I have mentioned it to 23 the JOCCOM chairperson – 24 MR SEMENYA SC: No, no – 25 COLONEL VERMAAK: - at the 15th and the</p> |
| <p style="text-align: right;">Page 27666</p> <p>1 stage and they are very dangerous and they will fight 2 according to his information until they die. 3 MR SEMENYA SC: But you do accept even 4 the manuscript notes by Adv Moolman and Brigadier Pretorius 5 do not reflect what you say were your contributions in 6 those JOCCOM meetings? 7 COLONEL VERMAAK: Are you – 8 MR SEMENYA SC: Do you accept that? 9 COLONEL VERMAAK: Chair, are you 10 referring to which date? 11 MR SEMENYA SC: The 15th and 16th. 12 COLONEL VERMAAK: No Chair, I also have a 13 witness, Sergeant Brown from TRT in Klerksdorp who will 14 come and testify that I did make the suggestion and also 15 that I did again say that the people will not surrender, 16 they will not give in their dangerous weapons and they will 17 fight until they die due to the rituals that they went 18 through. 19 MR SEMENYA SC: Okay – 20 CHAIRPERSON: I'm sorry, Mr Semenya, if I 21 can ask, this information you gave that you mentioned now, 22 at the JOCCOM, was that on the Tuesday morning? Was that 23 given on the Tuesday morning? 24 [11:18] COLONEL VERMAAK: Chair, I gave it to 25 Brigadier – ag, General Annandale when he arrived there</p> | <p style="text-align: right;">Page 27668</p> <p>1 16th. I did not discuss it outside with any other police 2 officer. 3 MR SEMENYA SC: No, no, no, I want to 4 tidy this up. It is one thing to discuss a matter with 5 General Annandale. It is another to discuss the matter 6 with Brigadier Calitz, but quite different to make 7 submissions in a JOCCOM meeting. That distinction you 8 appreciate? 9 COLONEL VERMAAK: That's correct, Chair. 10 I've said that I talked to General Annandale outside the 11 JOC, not during a JOC meeting. The 15th and the 16th at the 12 JOC meeting I mention it specifically. 13 MR SEMENYA SC: Okay, and you're saying 14 your suggestion was that the cordon and search as a 15 tactical option must be the first one to be undertaken? 16 COLONEL VERMAAK: That is correct, Chair. 17 MR SEMENYA SC: And the only basis of 18 intelligence you had was the previous history of previous 19 operations where this was done? 20 COLONEL VERMAAK: That is correct, Chair. 21 MR SEMENYA SC: Okay. Now Colonel, 22 surely in the previous instances when that was taken as a 23 tactic there was intelligence supporting the prospects of 24 that yielding a positive outcome, was there not? 25 COLONEL VERMAAK: No, Chair. It was</p> |

Page 27669

1 faction fights and immediately after the faction fights we
2 normally did the cordon and search to remove any dangerous
3 weapons.
4 MR SEMENYA SC: No, but there surely must
5 have been intelligence that tells you that the weapons are
6 in the hostels, the people are in the hostel this time of
7 the hour, no?
8 COLONEL VERMAAK: Chair, it was obvious
9 that those weapons were in the hostels because why those
10 people were fighting in the hostels.
11 MR SEMENYA SC: So you had dependable
12 intelligence to tell you that the cordon and search would
13 be successful if done.
14 COLONEL VERMAAK: Yes, the belief was so,
15 Chair.
16 MR SEMENYA SC: Now let me share with you
17 what, if the evidence of Mr X is to be accepted, indicates.
18 Firstly all the people in the makarapas were told no cell
19 phones here except one member. That intelligence you
20 didn't have, right?
21 COLONEL VERMAAK: No, I haven't got it.
22 I said I only got this statement yesterday afternoon at
23 half past 4.
24 MR SEMENYA SC: No, when I say "you" I'm
25 referring to the police in JOCCOM when you were discussing

Page 27670

1 the possibility of a cordon and search. I'm saying that
2 information was not available, was there?
3 COLONEL VERMAAK: Chair, if I can make an
4 example, Mr Semenya asked a question before we end the day
5 that the operation could have backfire if the hostel was
6 searched. Referring to that, if you are driving a motor
7 vehicle and somebody heard that there's something wrong
8 with that vehicle, say for instance a mechanic, and he's
9 telling you as the owner of that vehicle there's something
10 seriously wrong with that vehicle, you must take it to the
11 garage, and if you didn't do it and your vehicle break down
12 then it is your responsibility. But the fact that you have
13 been warned that it could happen, that is what you must
14 take in consideration and that is more or less the same
15 what was here. I could see things is going wrong. I take
16 it upon me to mention it from the Sunday. I sent a BBM to
17 Brigadier Garnett in the, at National JOC. What more is
18 being expected from me? If they did not listen to the
19 information that I've given them, I cannot stand for the
20 actions that took place afterwards.
21 MR SEMENYA SC: That's your answer to my
22 question?
23 COLONEL VERMAAK: That's correct, Chair.
24 COMMISSIONER HEMRAJ: Colonel, when you
25 were there at the JOCCOM meeting did you hear any

Page 27671

1 information, any intelligence as regards what Mr Semenya
2 put to you that there were a group of people on the koppie
3 without access to cell phones except for one person? Did
4 you hear that?
5 COLONEL VERMAAK: Chairperson, no.
6 COMMISSIONER HEMRAJ: Thank you.
7 COLONEL VERMAAK: CIG said they haven't
8 got any information.
9 MR SEMENYA SC: Precisely, Colonel, and
10 we now know through the evidence that Mr Twala was killed
11 precisely because he had a cell phone on him with airtime.
12 Was all this information known to you as the police in the
13 JOCCOM?
14 COLONEL VERMAAK: No.
15 MR SEMENYA SC: And in fact the evidence
16 is it was very difficult to penetrate that group of people
17 to find reliable information about their doings and their
18 thoughts.
19 COLONEL VERMAAK: That's correct.
20 MR SEMENYA SC: In fact it makes me ask
21 the question; your criticism that there was inadequate
22 intelligence, is it through any neglect on the part of the
23 police, you'd contend?
24 COLONEL VERMAAK: No, I never said the
25 police neglect it. I said that was a part of the problem

Page 27672

1 that was experienced there.
2 MR SEMENYA SC: You see that's my
3 difficulty. There's some equivocation there, or a
4 contradiction as I see it. Whilst contending that there is
5 inadequate intelligence during the period of the operation,
6 you insist it is premised on inadequate intelligence that a
7 cordon and search and seizure of weapons should happen on
8 the basis of inadequate intelligence.
9 COLONEL VERMAAK: Chair, what information
10 that they had for the Thursday, I wasn't aware of any other
11 information they had and the outcome of that operation was
12 not very nice.
13 MR SEMENYA SC: Is that an answer to the
14 question I asked you?
15 COLONEL VERMAAK: That's correct, Chair.
16 MR SEMENYA SC: Okay. Before I omit to
17 make, to put this to you; you do know the evidence of
18 Colonel Merafe is in relation to the events of the 13th that
19 you took an R5 from one of the members. You're aware of
20 that evidence?
21 COLONEL VERMAAK: I have heard about it.
22 MR SEMENYA SC: And your comment and
23 reaction to it?
24 COLONEL VERMAAK: That is also not true.
25 MR SEMENYA SC: Are you aware of any

Page 27673

1 reason, now that you know Colonel Merafe as well as you
2 told us, why he would just fabricate that?
3 COLONEL VERMAAK: Chair, if you read
4 through the statements of the members who gave their
5 statements on the 14th, nowhere did any of those members who
6 was with me said that I took any firearm from them.
7 MR SEMENYA SC: Ja, but you told us we
8 shouldn't believe them. So why should we believe them on
9 this one?
10 COLONEL VERMAAK: I said, didn't say you
11 shouldn't believe them.
12 MR SEMENYA SC: You said they were
13 inaccurate when they said you gave several commands to them
14 to shoot, you said that's inaccurate.
15 MS PILLAY: Chair, just an objection –
16 MR SEMENYA SC: For instance –
17 MS PILLAY: Just an objection. The
18 witness has indicated very clearly that he couldn't
19 identify either Sekgweleya or Mguye. He was clear that
20 there were members of the TRT that were with him, but he's
21 unable to say whether the two members were either
22 Sekgweleya or Mguye for that matter.
23 CHAIRPERSON: He also didn't say that
24 everything they said was untrue. So the point he's making
25 is that they didn't mention, none of the people there

Page 27674

1 mentioned he had a firearm and that's the point of argument
2 really which can be argued at the end. I don't know that
3 we need spend much more time on it, Mr Semenya.
4 But there's another point that concerns me. I
5 understood you to say, Mr Semenya – if I misheard you,
6 please correct me – why would Merafe fabricate that. It
7 doesn't follow, the fact that he says it, which we know he
8 did, the fact that according to this witness he was
9 mistaken doesn't mean - if the witness is correct on that
10 it doesn't mean that Merafe fabricated it. There is
11 another possible inference. So you can't put it as
12 strongly as you did, if I heard you correctly. Perhaps we
13 can revisit that topic from a slightly different angle
14 without taking objections from Ms Pillay or from me.
15 MR SEMENYA SC: Colonel, you have heard
16 the point raised by the Chair, that there may – are you
17 alive to any reason why Colonel Merafe may be mistaken on
18 the point?
19 COLONEL VERMAAK: Chair, I cannot –
20 MR SEMENYA SC: Of so obvious a nature as
21 to say that he saw you have an R5 in your hand at the
22 riverside.
23 COLONEL VERMAAK: Chair, I don't know why
24 he was telling that because why I never had an R5 in my
25 hands. According to the witnesses that the police put

Page 27675

1 before us nobody came forward and said I have any firearms
2 in my hands. I don't know where Colonel Merafe was when he
3 saw me with the R5 because why if I remember correctly he
4 and one of the colonels of Phokeng was taking the other
5 injured person by vehicle to the clinic. So I don't know
6 when and where he saw me with that R5.
7 MR SEMENYA SC: And we're going to argue
8 that the probabilities are very slim that you'd see
9 somebody with an R5 from the helicopter, land without a
10 firearm on you and chase on foot after them. You must have
11 had confidence of chasing after that R5 people.
12 COLONEL VERMAAK: I've explained that I
13 had members who has been trained, I believe been trained
14 correctly, and then therefore I didn't see the necessary
15 that I must have a firearm with me. I never book out a R5.
16 Only when I had specific information and where there is a
17 specific operation I will book out my 9 millimetre pistol
18 and that's why I said the members that was Captain Loest
19 getting together to go with me were people who were armed.
20 MR SEMENYA SC: So this is how you saw it
21 play out; you would run after somebody with an R5 and you
22 will command those TRT members to shoot if the necessity
23 arose? That's how you saw it play out?
24 COLONEL VERMAAK: Chair, I didn't gave
25 instruction to members –

Page 27676

1 MR SEMENYA SC: No, no, no, I –
2 COLONEL VERMAAK: I only gave instruction
3 to a member.
4 MR SEMENYA SC: No, no, no, before that
5 instruction, I'm saying was this how you contemplated this
6 to unfold?
7 COLONEL VERMAAK: I do have the trust in
8 the policemen who was going with me. If needed they will
9 be able to protect our lives.
10 MR SEMENYA SC: I know, but I'm asking
11 how you contemplated this to unfold. You were going to
12 chase without a firearm on you and if the need arise you'd
13 instruct these TRT members to shoot?
14 COLONEL VERMAAK: If the need arise, as
15 it was, I gave the instruction to one member.
16 CHAIRPERSON: You haven't answered the
17 question. The question related to something anterior to
18 what you've just said, relates to how you saw the situation
19 developing, what you thought was going to happen or might
20 happen. What Mr Semenya is putting to you is before you
21 actually went with this group of people towards the river
22 and over it, did you envisage that a situation might happen
23 where it would be necessary for shots to be fired from the
24 side of your group because of the behaviour of the people
25 on the other side of the river, and you yourself didn't

Page 27677

1 have a firearm, you say, so did you envisage that if that
 2 situation arose you would have to or be able to give an
 3 instruction to one or more of those with you –
 4 COLONEL VERMAAK: That is correct.
 5 CHAIRPERSON: - to fire. That's your
 6 question, Mr Semenya?
 7 COLONEL VERMAAK: That's correct, Chair.
 8 CHAIRPERSON: And the answer is yes.
 9 COLONEL VERMAAK: That's correct, Chair.
 10 COMMISSIONER HEMRAJ: Whilst we're at the
 11 river on the 13th can you just assist me with something?
 12 You say that there was just one striker from across the
 13 stream shooting with an R5.
 14 COLONEL VERMAAK: That's correct, Chair.
 15 COMMISSIONER HEMRAJ: Because your
 16 statement and your evidence-in-chief make mention of
 17 shooting with an R5 and – you say presumably a shotgun in
 18 your statement, but in your evidence-in-chief you speak of
 19 both. Would you like to clarify that?
 20 COLONEL VERMAAK: Chair, yes, we heard
 21 some shots. We could only see the person with the R5, but
 22 from experience the shots that was in between I could make
 23 out that is of a shotgun and with rubber bullets. It
 24 wasn't make such a loud sound as it was made by the R5.
 25 COMMISSIONER HEMRAJ: And how many shots

Page 27678

1 were fired from the other side with the R5?
 2 COLONEL VERMAAK: Chair, I cannot tell
 3 you. I cannot remember precisely. I just heard it, but
 4 what I specifically saw was the member with the R5 who was
 5 shooting at us.
 6 COMMISSIONER HEMRAJ: Thank you, Colonel.
 7 CHAIRPERSON: You say the member with the
 8 R5 were shooting at you. I think you mean the member of
 9 the group, the striker.
 10 COLONEL VERMAAK: The striker, yes.
 11 CHAIRPERSON: The striker. He was a
 12 member of the group of strikers, but in the context in
 13 which we use the word "member" here we –
 14 COLONEL VERMAAK: It's a policeman.
 15 CHAIRPERSON: - normally mean a member of
 16 the police service.
 17 COLONEL VERMAAK: Ja.
 18 CHAIRPERSON: Which is not what you meant
 19 to say?
 20 COLONEL VERMAAK: That's correct, Chair.
 21 MR SEMENYA SC: Can I invite you to look
 22 at exhibit HHH68, which is your, the document dated 12
 23 December 2012. In particular can we go to that paragraph
 24 11? I want us to deal with the issues that you say there.
 25 It reads, "During the unrest at Lonmin, Amplats and Impala,

Page 27679

1 the following shortcomings were identified." The first,
 2 you say, "Members don't have commanders with experience in
 3 charge at unrest scenes." This is absolutely no reference
 4 to Marikana. Am I right?
 5 COLONEL VERMAAK: No, this was written
 6 after Marikana.
 7 MR SEMENYA SC: No, I'm saying this
 8 criticism does not relate to the operation in Marikana.
 9 COLONEL VERMAAK: It did relate to it.
 10 MR SEMENYA SC: It did?
 11 CHAIRPERSON: He said Lonmin, Amplats,
 12 and Impala, so it refers as I understand it to unrest at
 13 the three mines, Lonmin Mine, the Amplats Mine, and the
 14 Impala Mine. So it does include Marikana. Is that right?
 15 COLONEL VERMAAK: That's correct, Chair.
 16 MR SEMENYA SC: Well Chair, I'm trying to
 17 tidy up and see whether this Lonmin relates also to the
 18 events of August 2012. Are you saying this criticism is
 19 valid to the events of August 2012 in Marikana?
 20 CHAIRPERSON: It must do. If you look at
 21 11.7, look at 11.4 and 11.7, he refers in terms to Marikana
 22 - in one case Marikana (Lonmin), the other case
 23 Marikana/Lonmin, so quite clearly when he's talking about
 24 Lonmin in this document read as a whole, he's referring to
 25 Lonmin. But it may well be a helpful exercise to isolate

Page 27680

1 the comments made insofar as they relate to Lonmin/Marikana
 2 and don't relate to Amplats and Impala, which was not
 3 covered by our terms of reference.
 4 MR SEMENYA SC: I'm attempting to do
 5 that, Chair. Now your evidence is that criticism covers
 6 the Marikana incident during August 2012?
 7 COLONEL VERMAAK: That's correct.
 8 MR SEMENYA SC: Did I understand you
 9 correctly when we started this cross-examination that
 10 Brigadier Calitz is a POP commander of immense experience?
 11 Is that what you said?
 12 COLONEL VERMAAK: That's correct.
 13 MR SEMENYA SC: And that you said so is
 14 Colonel Merafe?
 15 COLONEL VERMAAK: That is correct.
 16 MR SEMENYA SC: So is Colonel Pitsi.
 17 COLONEL VERMAAK: That's correct.
 18 MR SEMENYA SC: How then do you say that
 19 that event the commanders do not have the experience in
 20 unrest situations?
 21 [11:38] COLONEL VERMAAK: Chair, they were not
 22 the only commanders. You get section commanders, you get
 23 platoon commanders. So that includes those members,
 24 referring to commanders. So I didn't only refer to Colonel
 25 Merafe or Pitsi or Brigadier Calitz. I said there

Page 27681

1 "commanders." That included your section commanders and
 2 your platoon commanders.
 3 MR SEMENYA SC: Ja, okay. Which
 4 commanders are you referring to? Give us the names so that
 5 we can just test the correctness of your criticism?
 6 COLONEL VERMAAK: In the first place a
 7 TRT member don't have –
 8 MR SEMENYA SC: You can complete. You
 9 can complete, Colonel.
 10 COLONEL VERMAAK: They don't have the
 11 necessary experience to handle unrest. They are not
 12 trained for it and they are not supposed to be utilised
 13 during crowd management incidents.
 14 MR SEMENYA SC: Can you give us names of
 15 POP commanders who do not have experience in unrest
 16 situations?
 17 COLONEL VERMAAK: Chair, I think if the
 18 police can go and withdraw all the section and platoon
 19 commanders' history about their training and that, the
 20 experience that they have, I specifically also said at mine
 21 unrest, so not very much of people in other provinces are
 22 exposed in such a way that the North West Public Order, and
 23 specifically the Rustenburg Public Order Police is exposed
 24 to, and the experience that they also have on mine unrest.
 25 MR SEMENYA SC: Colonel, can you give us

Page 27682

1 names of POP commanders with no experience in unrest
 2 scenes?
 3 COLONEL VERMAAK: Chair, there was people
 4 from the whole country. How can you expect from me to give
 5 you names? There was over 700 policemen deployed.
 6 MR SEMENYA SC: You cannot make a
 7 criticism that somebody does not have an experience if you
 8 don't know them. Please give us the names of the
 9 commanders you say are POP commanders without experience
 10 and who are managing in South Africa unrest-related issues.
 11 COLONEL VERMAAK: Chair, I think then the
 12 police must, as I said, get the 15th, see who was the
 13 commanders, because I haven't got names.
 14 CHAIRPERSON: I'm sorry to interrupt you,
 15 Colonel. Is this not the way to approach it? I understand
 16 your point that people came from other provinces. They
 17 didn't come from the whole country. They didn't come from
 18 the Western Cape as far as I understand. I don't think
 19 they came from the Northern Cape either, but they came from
 20 various provinces. Now are you able to be more specific
 21 than you've been up to now in respect of POP commanders who
 22 you say did not have the necessary experience or training?
 23 Experience I suppose would be more accurate. Not
 24 necessarily by giving names, because you presumably don't
 25 know the names, but if you can say as far as you were aware

Page 27683

1 there were POP commanders from province X or province Y who
 2 didn't seem to know what was going on, didn't seem to have
 3 the necessary experience, that would be helpful. If you
 4 can't give that information then obviously of course the
 5 point will fall away.
 6 COLONEL VERMAAK: That's correct, Chair.
 7 If you can take people that's coming from Natal, they
 8 haven't got the same problems at mines as we had here in
 9 the North West province. I think the only two provinces
 10 that really have, or three provinces is Limpopo, Gauteng,
 11 and the Free State, who also have got problems with mines.
 12 I'm not aware of any other province who have the problems
 13 with mines specifically.
 14 MR SEMENYA SC: I'm surprised, Colonel.
 15 Are you telling the PC North West about lack of experience
 16 of POP members in Natal? Is that your answer?
 17 COLONEL VERMAAK: Chair, you must look at
 18 the letter and why I wrote that letter, and if you will see
 19 at one stage I said it's not to criticism individuals, it's
 20 to assist the police.
 21 MR SEMENYA SC: In North West?
 22 COLONEL VERMAAK: Well, I'm in North West
 23 and I wrote it to the PC, that's correct, Chair.
 24 MR SEMENYA SC: That's why I'm going
 25 back. Are you saying you are bringing it to the attention

Page 27684

1 of the PC in North West that there are POP commanders in
 2 KZN who don't have experience in unrest –
 3 COLONEL VERMAAK: No, Chair, I'm not
 4 specifically name provinces. It was a overall letter just
 5 to give assistance to the Provincial Commissioner.
 6 MR SEMENYA SC: Just have a look at 11.1
 7 there. Firstly it doesn't talk about in the mine areas,
 8 but that aside, that aside; are you saying there are POP
 9 commanders in the North West, which has mines, who do not
 10 have experience in unrest scenes?
 11 COLONEL VERMAAK: Chair, you're referring
 12 to paragraph 11.1, or 11?
 13 CHAIRPERSON: He asked you about 11.1.
 14 COLONEL VERMAAK: 11.1 –
 15 CHAIRPERSON: Now if I can just ask you a
 16 few questions to get clarity in my mind before Mr Semenya
 17 continues. 11.1 of course is a rather broad
 18 generalisation, but I understood you to say by way of
 19 explaining it that there were POP commanders from provinces
 20 that didn't have the same kind of problems that are
 21 encountered in the North West and they wouldn't therefore
 22 have the experience. Is that right?
 23 COLONEL VERMAAK: That's right, Chair.
 24 CHAIRPERSON: That's what you meant. In
 25 other words the advice you were giving the Provincial

| | |
|---|--|
| <p style="text-align: right;">Page 27685</p> <p>1 Commissioner, if I can put it in my words – if I'm wrong 2 you must please correct me – was in future when we have 3 this kind of problem and you have to get reinforcements 4 from other provinces, try to get reinforcements from 5 provinces where they have similar problems so that the 6 people who come will be able to deal with them. Don't get 7 people from provinces who haven't got that experience as 8 they won't be much good. Is that – 9 COLONEL VERMAAK: That is – 10 CHAIRPERSON: - in my language what 11 you're saying? 12 COLONEL VERMAAK: That is correct, Chair. 13 CHAIRPERSON: Alright. 14 MR SEMENYA SC: But Colonel, okay, which 15 POP commanders displayed lack of experience to you in 16 Marikana, from other provinces? 17 COLONEL VERMAAK: Chair, if you go back 18 to the 13th and you look at what happened there – 19 MR SEMENYA SC: Which of the POP 20 commanders on the 13th were coming from provinces other than 21 the North West? 22 COLONEL VERMAAK: I haven't got the list 23 with me, but there was other people who was coming from 24 other provinces. 25 COMMISSIONER HEMRAJ: Sorry to interrupt</p> | <p style="text-align: right;">Page 27687</p> <p>1 So I didn't say only North West. 2 CHAIRPERSON: You said as far as you knew 3 there was mine-related unrest in Limpopo, Gauteng, and the 4 Free State. You seem to think there wasn't mine-related 5 unrest in Natal; I don't know whether that's correct or 6 not, but anyway, that's what you said, and equally the 7 Eastern Cape. There may be unrest of other kinds, but not 8 mine-related. Is that what you're saying? 9 COLONEL VERMAAK: That is correct, Chair. 10 COMMISSIONER HEMRAJ: There's another 11 point. This criticism you say is peculiar to section 12 commanders and platoon commanders. 13 COLONEL VERMAAK: I didn't say the 14 officers, and I didn't say that the people I know didn't 15 have the necessary experience. As I said, I work a long 16 time with Brigadier Calitz and Colonel Merafe, and also 17 Colonel Pitsi. So I never mentioned their names. 18 COMMISSIONER HEMRAJ: Yes. These 19 platoons and sections which would have come from other 20 areas without this unrest experience, these commanders, 21 section commanders, platoon commanders, would be carrying 22 out or relaying orders from senior commanders in the North 23 West? 24 COLONEL VERMAAK: No, not necessarily, 25 Chair. They were normally put under command of their own</p> |
| <p style="text-align: right;">Page 27686</p> <p>1 you. Do I understand that the criticism is purely on the 2 basis of where they come from and therefore they might not 3 have experience with mine-related unrest? 4 COLONEL VERMAAK: That is correct, Chair. 5 COMMISSIONER HEMRAJ: There's nothing 6 that you observed – 7 COLONEL VERMAAK: No. 8 COMMISSIONER HEMRAJ: - that led you to 9 that conclusion? 10 COLONEL VERMAAK: No. No, that is what I 11 said is the experience that the people have in mine unrest 12 is total a difficult situation where you have say a strike 13 on service deliveries. 14 MR SEMENYA SC: Let me have the benefit 15 of your reasoning then. Your expert opinion, or your 16 experienced opinion is that only POP members in North West 17 can be used in North West, where the mines are? Is that 18 the logic I must follow from your evidence? 19 COLONEL VERMAAK: No, I didn't say that. 20 I have – 21 MR SEMENYA SC: No, I'm just trying to 22 see if you – 23 COLONEL VERMAAK: I said to you, Chair, 24 that I said the people from Gauteng also have experience. 25 I said the people from the Free State also have experience.</p> | <p style="text-align: right;">Page 27688</p> <p>1 people. 2 COMMISSIONER HEMRAJ: So they would be 3 acting in a big operation like Marikana independently of 4 Brigadier Calitz's orders? 5 COLONEL VERMAAK: That's in their own 6 unit sections, that's correct, Chair. They all fall under 7 the overall commander. 8 COMMISSIONER HEMRAJ: Yes. 9 COLONEL VERMAAK: But they're not 10 splitting them up and say six of this members from the 11 North West and six of KwaZulu-Natal, they're going to make 12 up one section now, to share the experience. So the 13 sections stayed with the units that is reporting here for 14 this, for the duties. 15 COMMISSIONER HEMRAJ: So in a dispersal 16 action, if Brigadier Calitz had to give an order to 17 disperse, that order would come down the line to the 18 section commanders and the platoon commanders, right? 19 COLONEL VERMAAK: Under normal 20 circumstances, yes, that will follow the line from the 21 operational commander to the platoon and section 22 commanders, Chair. 23 CHAIRPERSON: Look, I don't want to get 24 involved too much in the detail. I'm not sure how much you 25 know about it, but take a practical example, what happened</p> |

Page 27689

1 at scene 2 on the 16th, Brigadier Calitz was there. I'm not
 2 sure how much command and control he exercised and I'm not
 3 sure how clearly any command that he gave found its way
 4 down the line. I mean you were in fact the eye-in-the-sky
 5 and we've, a lot of that evidence has been dealt with
 6 already and we don't have to go over it again, but it's not
 7 necessarily a reflection on Brigadier Calitz, that's
 8 another issue we won't go into now, but certainly the
 9 section commanders who were operating in the vicinity of
 10 koppie 2, I'm not sure how much experience they had of
 11 being in charge of unrest scenes, but that's a broader
 12 issue which we don't have to go into. But as a general
 13 proposition can a man say whether what happened at scene 2
 14 illustrates the point you're making, or does it not
 15 illustrate the point you're making?

16 MR SEMENYA SC: No, but Colonel, being in
 17 the sky –

18 CHAIRPERSON: Let him answer him question
 19 first, Mr Semenya.

20 MR SEMENYA SC: Sorry.

21 CHAIRPERSON: Then you'll have
 22 opportunity to ask yours. Have you got any comment on the
 23 question I asked you?

24 COLONEL VERMAAK: Chair, yes. I did not
 25 know what sort of instructions was given by the commanders

Page 27690

1 on the ground and the situation was not a normal situation
 2 at that stage. So I will not be aware of the instructions
 3 that was given by specific commanders on the ground as I
 4 have that on the 13th.

5 MR SEMENYA SC: Nor can you make a
 6 criticism about how they behaved in relation to scene 2,
 7 which is what, the scenario described by the Chair.

8 COLONEL VERMAAK: Chair, you must look to
 9 the whole picture. From the 13th onwards up to until
 10 December there were a lot of incidents in and around
 11 Marikana where people gathered together. In Nkaneng there
 12 was incidents where police have to disperse group of people
 13 and at that specific incidents I observe some faults that
 14 the policemen made and that is why I worried about that and
 15 I, that is why I brought it under the attention of the
 16 Provincial Commissioner.

17 CHAIRPERSON: On this note I think we can
 18 take the tea adjournment and we'll resume this topic, if Mr
 19 Semenya wishes to persist in it, after tea.

20 [COMMISSION ADJOURNS COMMISSION RESUMES]

21 [12:21] CHAIRPERSON: The Commission resumes.
 22 Colonel, you're still bound by the affirmation.

23 SALMON JOHANNES VERMAAK: (affirms
 24 further)

25 CHAIRPERSON: Mr Semenya.

Page 27691

1 CROSS-EXAMINATION BY MR SEMENYA SC (CONTD.):
 2 Thank you, Chair. Colonel, on the 13th of August 2012 the
 3 POP people who were deployed outside of the North West were
 4 POP members from Pretoria, POP Johannesburg, POP East Rand,
 5 POP KwaMhlanga, and the NIU from Pretoria. Now which ones
 6 were you referring to that were coming from other
 7 provinces?

8 COLONEL VERMAAK: I don't know where's
 9 KwaMhlanga, if you maybe can help me.

10 MR SEMENYA SC: It's Mpumalanga.

11 COLONEL VERMAAK: Okay.

12 MR SEMENYA SC: Which ones were you
 13 referring to, to be –

14 COLONEL VERMAAK: I've said –

15 MR SEMENYA SC: - coming from provinces
 16 that do not have –

17 COLONEL VERMAAK: Chair, I've said –

18 MS PILLAY: Chair, just so that we're all
 19 on the same page, if Mr Semenya could just indicate to us
 20 where we find this evidence so we can all follow it, where
 21 the POP units came from?

22 MR SEMENYA SC: I'll give a statement.
 23 I've just consulted with the JOC. I can give you a list of
 24 the provinces from where –

25 CHAIRPERSON: It's somewhere in the

Page 27692

1 record.

2 MR SEMENYA SC: It is in the record, yes.

3 CHAIRPERSON: I think we can carry on in
 4 the meanwhile. The document sets it out – I'm inclined to
 5 think we can rely on Mr Semenya on that, and it's an
 6 exhibit. No, I understand that, Ms Pillay wants to know
 7 which exhibit it is, but I'm afraid - I think let him carry
 8 on and if it turns out that he's wrong you can deal with it
 9 in re-examination. But the question was which of those, if
 10 he's correct in saying where those various POP units came
 11 from, which are the ones that you say would be covered by
 12 your criticism?

13 COLONEL VERMAAK: Chair, at the 13th the
 14 only people that I maybe can think of is KwaMhlanga. The
 15 other people of Gauteng –

16 MR SEMENYA SC: No, there are mines in
 17 Mpumalanga. What do you mean? They've got coal mines all
 18 over the place there.

19 COLONEL VERMAAK: No, that's correct, but
 20 have you ever seen on the news that there's any problems?

21 MR SEMENYA SC: Sorry?

22 COLONEL VERMAAK: There's never ever that
 23 I can remember that they are exposed to the same strikes as
 24 we have here in the North West province.

25 CHAIRPERSON: The point was it isn't just

| | |
|---|--|
| <p style="text-align: right;">Page 27693</p> <p>1 provinces where there are mines, it's provinces, as I 2 understood his evidence, where there is mine unrest of the 3 nature of the mine unrest experienced in the North West, 4 and his answer is that that's not his understanding of what 5 happens in Mpumalanga. 6 COLONEL VERMAAK: That's correct, Chair. 7 CHAIRPERSON: Whether all the coal 8 mineworkers in Mpumalanga all act entirely properly as 9 officers and gentlemen entirely I'm not sure, but that's 10 his impression and it's certainly mine as well. 11 MR SEMENYA SC: Okay, tell us, Colonel, 12 as a POP section commander in a mine unrest situation what 13 tactically do you do different than any other section POP 14 commander? 15 COLONEL VERMAAK: In the first place if 16 you can just go back what we sit with in Marikana, all this 17 serious dangerous weapons that the people have, the people 18 that have been killed for how many days, that is not a 19 normal thing that you see with service delivery. So you 20 must prepare for that sort of situations and you must have 21 preferably experience of that. 22 MR SEMENYA SC: Colonel, what tactically 23 does a section commander do differently, whether they are 24 from a mine unrest environment or a non-mine unrest 25 environment?</p> | <p style="text-align: right;">Page 27695</p> <p>1 during unrest? 2 COLONEL VERMAAK: Chair, I stay with my 3 answer. 4 MR SEMENYA SC: Okay. Let us look at 5 what you have at 11.2. You say, "Commanders don't know or 6 have the legislation" – 7 CHAIRPERSON: Could we have it back on 8 the screen, please? 11.2, "Members don't have commanders 9 with experience" – sorry, that's 1. 11.2, "Commanders 10 don't know or have the legislation under what they can 11 act." Now to which commanders were you referring? 12 COLONEL VERMAAK: Chair, that we have 13 experience through the time that there is, and I've write 14 it in some of my letters, the different standards that 15 there is. At one stage they want to act against people who 16 is marching illegally. The next time they leave the people 17 to march – 18 CHAIRPERSON: No, that's 11.3. We're 19 busy with 11.2. Here you're dealing with commanders, in 20 the plural, who either didn't know the legislation under 21 which they could act, or didn't have copies of it available 22 to them. That's the point made in 11.2 and I think Mr 23 Semenya wants to know who the commanders were to whom you 24 were referring. 25 COLONEL VERMAAK: Chair, I've mentioned</p> |
| <p style="text-align: right;">Page 27694</p> <p>1 COLONEL VERMAAK: Chair, it depends from 2 situation to situation. The training is more or less to 3 all the POP members, but it depends on decisions of 4 commanders how they're going to approach it. 5 MR SEMENYA SC: No, no, no, I want to 6 understand this criticism that you are mentioning here. I 7 want to know what a section commander in North West does 8 that is different to that a section commander would do in 9 KwaZulu-Natal. 10 COLONEL VERMAAK: Experience. 11 MR SEMENYA SC: What in the experience do 12 they do differently? If they have 10 years' experience, 13 they have 10 years' experience the other way, what 14 difference in their experience is there? 15 COLONEL VERMAAK: Chair, throughout South 16 Africa we are challenged with different situations. The 17 people for instance in Gauteng who have very big marches, 18 they are exposed, they have experience of it and if you 19 take the Northern Cape policemen and you put 30 000 people 20 there in a march, that will, for them to handle for the 21 first time will be really a challenge. 22 MR SEMENYA SC: Is that your answer to 23 what tactically is done – 24 COLONEL VERMAAK: That's correct. 25 MR SEMENYA SC: - what tactically is done</p> | <p style="text-align: right;">Page 27696</p> <p>1 it in broad. If you go and look at every situation where 2 there was a crowd management situation, normally you will 3 see that people only open one case and that's for illegal 4 march, while there's other cases you can also open against 5 the people and not only just go for the easiest one. 6 MR SEMENYA SC: So you don't speak about 7 any particular individual? 8 COLONEL VERMAAK: That's correct. 9 MR SEMENYA SC: You're just saying all of 10 them? 11 COLONEL VERMAAK: I didn't say all of 12 them. I said I identified that there can be a problem, or 13 there is a problem with the people out of experience that 14 we saw and we experience it in the North West province 15 specifically. 16 MR SEMENYA SC: What legislation are you 17 referring to? 18 COLONEL VERMAAK: Public Road Act for 19 example, if they're blocking the roads, I never saw that 20 they open such a case. 21 COMMISSIONER HEMRAJ: Do I understand 22 that you're saying that the commanders don't have enough 23 knowledge of the law to lay charges, criminal charges 24 against the protesters or the strikers – 25 COLONEL VERMAAK: That is, that is</p> |

Page 27697

1 correct, Chair.

2 COMMISSIONER HEMRAJ: Is that what that

3 criticism relates to?

4 COLONEL VERMAAK: That's correct.

5 COMMISSIONER HEMRAJ: Thank you.

6 MR SEMENYA SC: Exhibit OOO8 is your

7 statement that you made on the 16th of August – triple L –

8 CHAIRPERSON: Do you want this one put up

9 on the screen now?

10 MR SEMENYA SC: No, no, no, not –

11 CHAIRPERSON: No?

12 MR SEMENYA SC: OOO8, the one that was a

13 statement you gave to Brigadier Van Zyl.

14 CHAIRPERSON: Ja.

15 MR SEMENYA SC: In relation to the

16 matters of the 13th.

17 CHAIRPERSON: Alright, it looks as if

18 we're getting it on the screen.

19 MR SEMENYA SC: You remember that

20 statement?

21 COLONEL VERMAAK: That's correct.

22 MR SEMENYA SC: Neither you mention all

23 this contraventions of the Road Traffic Act and the

24 Dangerous Weapons Act or these other in relation to the

25 events of the 13th. All you're talking about is that –

Page 27698

1 COLONEL VERMAAK: I –

2 MR SEMENYA SC: All you are talking about

3 is that they did not comply with the Regulation of

4 Gatherings Act. Am I right?

5 COLONEL VERMAAK: That's correct, Chair.

6 But maybe I must just ask, I didn't open the docket. I

7 didn't write the A1 statement. I only support with a short

8 statement as it was requested by Brigadier Van Zyl to use

9 quickly in a bail application.

10 MR SEMENYA SC: But you accept that your

11 statement does not include what you are criticising other

12 commanders of doing?

13 COLONEL VERMAAK: If I was in charge and

14 I was a senior member at that scene, that is my

15 responsibility as the senior then, go and open the case and

16 then you will file on all the complaints in the A1

17 statement of the docket.

18 MR SEMENYA SC: Were you precluded by

19 anything in stating in your own statement these are the

20 transgressions that I saw, because you knew this document

21 is going to be used in a bail application, to oppose a bail

22 application?

23 COLONEL VERMAAK: Chair, I've already

24 answered on that question.

25 CHAIRPERSON: Now Lieutenant-Colonel, how

Page 27699

1 does it work, this docket was Marikana CAS119/08/2012.

2 Your statement was A16, so it was the 16th statement filed

3 in the docket. Now who would have opened, who would have

4 caused the docket to be opened?

5 COLONEL VERMAAK: Chair, I haven't got an

6 idea. Brigadier Van Zyl was on the scene.

7 CHAIRPERSON: Yes.

8 COLONEL VERMAAK: I didn't know who he

9 gave instruction to go and open the case –

10 CHAIRPERSON: Somebody opened the docket.

11 You're not sure –

12 COLONEL VERMAAK: I don't know who it

13 was, Chair.

14 CHAIRPERSON: Now what's the mechanism

15 when a docket is opened? Does the person who's opening the

16 docket, causing the docket to be opened specify what the

17 charge is in respect of which the docket is to be opened,

18 or how does it work?

19 COLONEL VERMAAK: Yes, Chair, if you open

20 a docket you will put all the complaints that you have in

21 front of the docket. There's a specific area where you

22 write down all the complaints, and then the docket is being

23 given to an investigating officer.

24 CHAIRPERSON: And when that happens, as

25 far as I can remember from the days when I was a

Page 27700

1 prosecutor, is you don't just open the docket. There's

2 always an A1, in fact at one stage the A1 used to be on the

3 inside of the front cover, as far as I recall.

4 COLONEL VERMAAK: That's correct, Chair.

5 CHAIRPERSON: And the A1 would be, as it

6 were, the founding statement.

7 COLONEL VERMAAK: That's correct.

8 CHAIRPERSON: Right, now you were asked

9 to provide the 16th statement in the A-section of the

10 docket, the A-section being the section where all the

11 statements are.

12 COLONEL VERMAAK: That's correct.

13 CHAIRPERSON: And you say Brigadier Van

14 Zyl came to you and he asked you for a statement.

15 COLONEL VERMAAK: He asked me for a

16 statement specifically only to mention the Gatherings Act,

17 what is expected from people who's taking part in illegal

18 march or a legal march.

19 CHAIRPERSON: Okay. I think this was on

20 the 16th, wasn't it?

21 COLONEL VERMAAK: That's correct.

22 CHAIRPERSON: It was after you'd landed,

23 before you went up again.

24 COLONEL VERMAAK: That's correct –

25 CHAIRPERSON: In the course of the

Page 27701

1 afternoon –

2 COLONEL VERMAAK: It was in a period when

3 we refuelled that he asked that.

4 CHAIRPERSON: Yes, during a refuelling

5 stop.

6 COLONEL VERMAAK: That's correct.

7 CHAIRPERSON: And you wrote the statement

8 down in your own handwriting.

9 COLONEL VERMAAK: That's correct, Chair.

10 CHAIRPERSON: In English.

11 COLONEL VERMAAK: That's –

12 CHAIRPERSON: And this is the statement

13 we have, exhibit –

14 COLONEL VERMAAK: That's correct.

15 CHAIRPERSON: - 0008.

16 COLONEL VERMAAK: That's correct, Chair.

17 CHAIRPERSON: I see. Now the question

18 you were asked is why didn't you in that statement also

19 include a whole lot of other charges that the Brigadier

20 didn't refer to, which may not have been on the front part

21 of the docket and may not have been included in the

22 founding statement, A1?

23 COLONEL VERMAAK: Chair, I haven't got

24 the docket in front of me, so I wasn't aware which cases

25 was opened already on the docket, and as I said, Brigadier

Page 27702

1 Van Zyl approached me and asked me I must mainly just

2 concentrate for him, give a broad explanation what happened

3 on that day and as far as I know if the people have

4 authority to have a march or not.

5 CHAIRPERSON: Now if a docket had been

6 opened to your knowledge on a murder charge and you were

7 able to contribute evidence about the murder, but you also

8 knew that the accused was guilty of negligent driving on

9 the same day he committed the murder - accused or suspected

10 of committing negligent driving on the day he allegedly

11 committed the murder - and you were asked to make a

12 statement to be filed in the murder docket, would you have

13 included the negligent driving material as well?

14 COLONEL VERMAAK: Chair yes, if, in

15 normal instances you will include all that information, but

16 due to the fact that Brigadier Van Zyl knew that we is the

17 eye-in-the-sky, he asked me only to concentrate on that

18 specific points.

19 MR SEMENYA SC: I don't understand –

20 COLONEL VERMAAK: He said we will at a

21 later stage obtain a full statement from my side.

22 MR SEMENYA SC: No, but mindful of this

23 very criticism you have, you would have said to him, 'But

24 that's precisely why we keep complaining, that commanders

25 must include all transgressions. This thing that you say I

Page 27703

1 must do is incorrect, Brigadier.' You didn't say that to

2 him.

3 COLONEL VERMAAK: I explained to the

4 Chair now the circumstances under which the Brigadier asked

5 me for the statement.

6 MR SEMENYA SC: No, I don't understand.

7 The Brigadier comes to you because you are the eye-in-the-

8 sky, to speak about whether or not there was a notice in

9 terms of the Regulation of Gatherings Act.

10 COLONEL VERMAAK: I don't know why did he

11 approach me for a statement. I think that is a question

12 that must be put to Brigadier Van Zyl himself.

13 MR SEMENYA SC: No, I'm asking from you

14 as a witness. Are you saying that the evidence that the

15 Brigadier wanted from somebody who is the eye-in-the-sky

16 was to talk about whether or not there was compliance with

17 the act?

18 COLONEL VERMAAK: You know my

19 experience –

20 MS PILLAY: Chair, the witness has just

21 indicated that he doesn't know why Brigadier Van Zyl

22 approached him for the statement.

23 CHAIRPERSON: No, no, we know that, but

24 the question relates to something else. When he was

25 approached for whatever reason – he may not know what it

Page 27704

1 was – the question is why didn't he say, 'By the way, there

2 are a lot of other offences as well that I should cover in

3 my statement'. That's the question Mr Semenya is asking.

4 I don't see any problem about that. I don't know what the

5 answer is – or I think I do know the answer. I think he's

6 given it already, but maybe the witness cares to repeat his

7 answer.

8 COLONEL VERMAAK: Chair, as I said,

9 Brigadier Calitz – ag, Van Zyl asked me to concentrate only

10 for him on that specific incident. It's easily for me from

11 the eye-in-the-sky to know that is an illegal gathering

12 with all those dangerous weapons, so the whole thing was

13 about the illegal march and as far as if I know that those

14 people have any particular approval for that sort of march.

15 I did between the 13th and the date that I made the

16 statement, did take knowledge that those people didn't have

17 any permission to have a march.

18 MR SEMENYA SC: But you do accept that if

19 you had included all other transgressions, the Public

20 Prosecutor who was going to formulate the charges would

21 have had the benefit of real evidence based on your

22 statement to include those charges as well?

23 COLONEL VERMAAK: Chair, as I said, I was

24 not the investigating officer. I didn't put the A1

25 statement in the docket. I only gave Brigadier Van Zyl the

| | |
|--|---|
| <p style="text-align: right;">Page 27705</p> <p>1 information that he quickly – and I put it to you, quickly 2 needed from me, because why he said to me he's on his way 3 to the court for the application. 4 MR SEMENYA SC: So if I looked at OOO8 I 5 can say that this commander doesn't know the legislation 6 under which they are acting? 7 COLONEL VERMAAK: Chair, I don't know 8 what complaints were opened. If I've got the docket before 9 me I believe I can comment on that. 10 MR SEMENYA SC: On 11.4 you deal with the 11 senior officers do planning without any experience in 12 serious incidents. Let me start here; in Marikana at least 13 we know according to your evidence the planning happened 14 with you being present, right? 15 COLONEL VERMAAK: No, I wasn't present. 16 MR SEMENYA SC: I thought you said you 17 were in the JOCCOM throughout, without fail. 18 COLONEL VERMAAK: Chair, in the afternoon 19 at 1 o'clock or half past 1 when they finalised the plan I 20 was not part of it. 21 [12:41] MR SEMENYA SC: Well, I'm really talking 22 from the 13th onwards. Those plannings, you were part of 23 them? 24 COLONEL VERMAAK: I was not – I was 25 present. I did give my input and the plan was drawn up by</p> | <p style="text-align: right;">Page 27707</p> <p>1 referring to you. I'm saying as a matter of practice if 2 you're a member of the JOCCOM and you have a view to 3 contribute, you don't have to be invited to do so. Am I 4 right? 5 COLONEL VERMAAK: That's correct, if your 6 meetings is being handling properly, if there's agendas 7 being distributing, if there's proper minutes being taken, 8 if the following day those minutes were distributing to the 9 members to make any amendments if needed, that is normal 10 procedure and I think that is also official procedures, 11 then you will have a chance under "General" to make inputs. 12 MR SEMENYA SC: If all those things are 13 not there you don't make an input as a member in the JOC? 14 COLONEL VERMAAK: Chair, you refer to 15 overall if I was a colonel in circumstances. Now you said 16 "me." 17 MR SEMENYA SC: No, I'm saying if you are 18 a member of the JOCCOM and all those things are not 19 present, you don't make a contribution? 20 COLONEL VERMAAK: I might make 21 contribution, Chair. 22 MR SEMENYA SC: So there's nothing 23 precluding you from making a contribution? 24 COLONEL VERMAAK: Excuse? Just repeat? 25 MR SEMENYA SC: There is nothing</p> |
| <p style="text-align: right;">Page 27706</p> <p>1 Colonel Scott and I believe it was approved by General 2 Annandale and General Mpembe. 3 MR SEMENYA SC: Was it discussed with the 4 POP members with experience being present there? 5 COLONEL VERMAAK: They were briefed about 6 the plan. They were not asked specifically inputs. 7 MR SEMENYA SC: Neither were you asked 8 specifically to make inputs? 9 COLONEL VERMAAK: No. Out of my own, I 10 made my own input. 11 CHAIRPERSON: As far as you could see was 12 any attention paid to your inputs? Were your inputs 13 incorporated into the plan in any way? 14 COLONEL VERMAAK: Nothing, Chair. It was 15 not even used as a plan B. There was a plan A, but no plan 16 B if something went wrong. 17 MR SEMENYA SC: I would have thought that 18 if I'm a member of the JOCCOM and we're discussing a plan 19 and I am a colonel with a view different, or with a view to 20 improve the plan, you don't have to be invited to do that, 21 do you? 22 COLONEL VERMAAK: I did gave my input and 23 if they didn't want to use my input I cannot force the 24 people who draw up the plan to make use of my inputs. 25 MR SEMENYA SC: No, no, no, I'm not</p> | <p style="text-align: right;">Page 27708</p> <p>1 precluding a JOCCOM member from making a contribution when 2 they are sitting in a JOCCOM that is not that – 3 COLONEL VERMAAK: Volgens, according to 4 structure? 5 MR SEMENYA SC: Ja. 6 COLONEL VERMAAK: No, you can make a – 7 if, Chair, if you have the confidence to stand up and make 8 a contribution you will do it, and that is what I've done. 9 I stand up, I make my contribution, and if it is ignored by 10 the chairperson and the planner, I cannot stand in for 11 that. 12 MR SEMENYA SC: We'll deal with the 13 ignoring part. I'm just trying to understand, so when 14 Colonel Merafe is there, is the planning happening with an 15 experienced POP commander in the JOCCOM? 16 COLONEL VERMAAK: Chair, I cannot comment 17 on Colonel Merafe's whereabouts. 18 MR SEMENYA SC: No, you were in the 19 JOCCOM, man. So you would have known whether there are or 20 there are not people with the POP experience in the JOCCOM 21 deliberations. 22 COLONEL VERMAAK: The, Brigadier Calitz 23 was there and Colonel Merafe was there and at a later stage 24 Colonel Pitsi was also there. 25 MR SEMENYA SC: That's precisely my</p> |

Page 27709

1 point. I'm saying when the planning happened, it happened
 2 in the presence of POP-experienced individuals –
 3 COLONEL VERMAAK: That's correct.
 4 MR SEMENYA SC: And they did not find
 5 anything untoward about that plan as a plan for the
 6 operation that was to be conducted.
 7 COLONEL VERMAAK: That is their view. I
 8 cannot stand in for how did they feel about the planning.
 9 That is my, when I feel that the planning might have some
 10 shortcomings I bring it under the attention of the people.
 11 MR SEMENYA SC: Colonel, you know I don't
 12 understand this. In police operations if you have eight
 13 individuals to do a particular operation, what happens?
 14 Surely one view would prevail, no? Or do you have to
 15 implement each and every of those eight individual ideas
 16 about how that operation should unfold?
 17 COLONEL VERMAAK: No Chair, if it is
 18 being done properly each and every member will give his
 19 input. It will be documented and it will be discussed.
 20 MR SEMENYA SC: Wasn't the plan about
 21 addressing Marikana unrest discussed in the JOCCOM?
 22 COLONEL VERMAAK: It was discussed there.
 23 MR SEMENYA SC: Now I would understand,
 24 just help me understand a different issue now. If there
 25 are eight ideas about how that operation must unfold, what

Page 27710

1 happens then?
 2 COLONEL VERMAAK: Plan is being drawn up
 3 and it will be –
 4 MR SEMENYA SC: Now which of the eight
 5 ideas is going to be implemented by the police?
 6 COLONEL VERMAAK: Can I please – the plan
 7 will be drawn up with all the information on hand
 8 stipulated in the plan and it will be given to the JOCCOM
 9 commander and the operational commander to approve it.
 10 MR SEMENYA SC: If there are eight ideas
 11 ultimately held by eight individuals about how that
 12 operation must happen, tell us which idea will take, will
 13 prevail, and why.
 14 COLONEL VERMAAK: The final decision will
 15 lay by the operational manager, or the operation commander
 16 and the JOCCOM commander, and after they have done the plan
 17 they will come back to the members.
 18 MR SEMENYA SC: No, no, no, I'm talking
 19 about the JOCCOM now.
 20 COLONEL VERMAAK: I'm also talking about
 21 the JOCCOM.
 22 MR SEMENYA SC: Which members are you
 23 referring to, sorry?
 24 COLONEL VERMAAK: The members in the
 25 JOCCOM.

Page 27711

1 MR SEMENYA SC: So you're saying the
 2 overall commander's idea will prevail for the day?
 3 COLONEL VERMAAK: No –
 4 MS PILLAY: Chair, the evidence was that
 5 the operational commander would –
 6 MR SEMENYA SC: The operational
 7 commander, sorry. Are you saying the operational
 8 commander's opinion will prevail on the day?
 9 COLONEL VERMAAK: No. Together with the
 10 overall commander. I said –
 11 MR SEMENYA SC: Okay, but we know the
 12 operational commander holds a different view from the
 13 overall commander as part of the eight. Which idea will
 14 prevail?
 15 COLONEL VERMAAK: Chair, it is not for me
 16 to decide. That is for those people in that situation that
 17 will make that decision, not me.
 18 MR SEMENYA SC: I understand. If you're
 19 the overall commander there in that JOCCOM, which idea
 20 would prevail? I just want to understand police practice.
 21 COLONEL VERMAAK: Well, I've explained it
 22 now several times, Chair, and I'm, really, I don't think I
 23 must –
 24 MR SEMENYA SC: Okay.
 25 COLONEL VERMAAK: - again do it.

Page 27712

1 MR SEMENYA SC: The point I'm making,
 2 Chair - Colonel, is this; you cannot if you were part of a
 3 JOCCOM and a JOCCOM that comes to a particular operational
 4 strategy then say that you were ignored.
 5 COLONEL VERMAAK: Well, that's a fact. I
 6 was there and they ignored me. Nowhere is any plan –
 7 MR SEMENYA SC: No, no, no, if your
 8 opinion does not prevail –
 9 MS PILLAY: Chair, I think it's only fair
 10 that the witness be giving an opportunity to complete his
 11 answers.
 12 CHAIRPERSON: I think that's a good
 13 point, Mr Semanya. I uphold the point. Finish your
 14 answer, then Mr Semanya will ask you his next question.
 15 COLONEL VERMAAK: In this specific
 16 operation, Chair, I did say that I'm not happy with the
 17 plan. I made a suggestion. It wasn't taken up by the
 18 senior people who was there and as far as I know it was
 19 also not minuted and also not write into the plan at any
 20 stage.
 21 CHAIRPERSON: While we're on the subject
 22 of minutes, as far as I can remember the evidence indicates
 23 that certainly minutes weren't considered, at the beginning
 24 of these meetings there wasn't any consideration of the
 25 minutes of previous meetings. Is that correct? You know

| | |
|--|--|
| <p style="text-align: right;">Page 27713</p> <p>1 in a formally structured meeting one of the first items of 2 business on the agenda is the minutes of the previous 3 meeting – 4 COLONEL VERMAAK: That's correct. 5 CHAIRPERSON: - which are then 6 considered. If they are confirmed they are signed by the 7 chairman. If there are corrections suggested these are – 8 COLONEL VERMAAK: That is correct, Chair. 9 CHAIRPERSON: Now did that happen in 10 respect of the minutes of the JOCCOM meetings? 11 COLONEL VERMAAK: No, Chair. 12 CHAIRPERSON: Did the members receive 13 copies of the minutes – 14 COLONEL VERMAAK: No, Chair. 15 CHAIRPERSON: - of the previous meeting 16 before they attended the next one? 17 COLONEL VERMAAK: Nothing at all. 18 CHAIRPERSON: So did you know what was 19 minuted in the minutes? 20 COLONEL VERMAAK: No, Chair, it was not 21 distributed to anybody in the JOC. 22 COMMISSIONER HEMRAJ: I'm sorry to 23 interrupt, Mr Semenya. Can I just, can you help me 24 understand something? At every JOCCOM meeting that you 25 were present you held a view that was different to the</p> | <p style="text-align: right;">Page 27715</p> <p>1 and cordon and search the hostel and then I explained to 2 them why did I still suggest that it must be done. 3 COMMISSIONER HEMRAJ: I see, and there 4 was no support for this view from any of the other POP 5 commanders present at the JOCCOM? 6 COLONEL VERMAAK: No, from POP commanders 7 there was nobody who support me. It was only Colonel 8 Isaacs from CIG who confirm that this people will not lay 9 down their weapons and they are prepared to fight with the 10 police. 11 COMMISSIONER HEMRAJ: Yes, but you did 12 get a hearing. Your complaint is that they did not adopt 13 your plan of action? 14 COLONEL VERMAAK: That is correct, Chair. 15 COMMISSIONER HEMRAJ: I understand. 16 Thank you, Colonel. 17 CHAIRPERSON: It goes a little bit 18 further, does it not? Because though there were problems 19 in relation to intelligence, the representatives of the 20 CIG, as you call them, were at the meeting and consistently 21 reported, Isaacs and Engelbrecht – in fact Engelbrecht and 22 Isaacs, I think Isaacs was there on the last day – 23 consistently reported that the strikers wouldn't lay down 24 their weapons and they would fight. 25 COLONEL VERMAAK: That's correct, Chair.</p> |
| <p style="text-align: right;">Page 27714</p> <p>1 common view held by the others? 2 COLONEL VERMAAK: That's correct, Chair. 3 That's why I said from the Sunday I discuss it with the 4 senior members and I stayed with that view, also especially 5 due to the fact that Colonel Isaac and Brigadier – 6 CHAIRPERSON: Engelbrecht. 7 COLONEL VERMAAK: - Engelbrecht said they 8 have a difficulty to get specific information. I stay with 9 that view and I mention it every time that I'm worried 10 about the plan that they want to execute. To go and 11 challenge 3 000 people on a koppie with dangerous weapons, 12 you know that on the Sunday people were killed, you know on 13 the Monday people were killed. So it is, I think just 14 normal to know that this people is not going to be very 15 peaceful if you're going to approach them in such a big 16 group. 17 COMMISSIONER HEMRAJ: Yes, now Colonel, 18 when you, your view, whenever you put it forward all the 19 others had a separate view. Now did they simply ignore 20 what you said, or did they point out to you that there 21 might be certain difficulties with what you were 22 suggesting? 23 COLONEL VERMAAK: Chair, there was only 24 once, I think it was on the 15th if I remember correctly, 25 where I was told that they haven't got information to go</p> | <p style="text-align: right;">Page 27716</p> <p>1 CHAIRPERSON: And as far as – well, I 2 mustn't put leading questions here. To what extent as far 3 as you're aware was that information taken into account in 4 the plans that were going forward? 5 COLONEL VERMAAK: Chair, I'm not aware 6 that those information was really write into the plan 7 specifically. We never received a hardcopy of any plans. 8 Any operational commander who was there never received a 9 plan in his hand. It was always put on a screen where 10 different stages were explained by Colonel Scott. 11 MR SEMENYA SC: No, but the members from 12 the Intelligence were not supporting you about the cordon 13 and search, they were supporting you about the nature of 14 the threat. Am I right? 15 COLONEL VERMAAK: No, that's correct, 16 Chair. 17 MR SEMENYA SC: Yes, so most of the POP 18 commanders in the JOC did consider your opinion, if I 19 understood your answers now, and they told you why they 20 think it is – 21 COLONEL VERMAAK: No, that's not how I 22 put it. 23 MR SEMENYA SC: Alright, I can use your 24 words. Did they say to you that they don't have enough 25 information to do a cordon and search?</p> |

| | |
|--|--|
| <p style="text-align: right;">Page 27717</p> <p>1 COLONEL VERMAAK: The only person who was 2 confirming what I've said was Colonel Isaacs and the only 3 person that said that there was already a plan on the table 4 was Colonel Scott. 5 MR SEMENYA SC: Did they say to you that 6 there was inadequate information to implement your plan? 7 COLONEL VERMAAK: They said they did not 8 approve my proposal. 9 MR SEMENYA SC: And you were asked why, 10 were you not? 11 COLONEL VERMAAK: I did ask them why and 12 they said they already have a plan in place. Colonel 13 Moolman have already at that stage, and if I'm correct, 14 prepared on the Tuesday a search warrant for the Provincial 15 Commissioner to sign, but unfortunately it was not being 16 approved by the Provincial Commissioner. 17 MR SEMENYA SC: Colonel, did you just – 18 CHAIRPERSON: I'm sorry, can I just – 19 MR SEMENYA SC: Can I – 20 CHAIRPERSON: Sorry, I'll give you a 21 chance in a moment. That information what you now give us 22 doesn't accord with the evidence. The evidence we have is 23 that Captain Moolman, as she then was – she later became a 24 colonel, I said as she then was – came early as a matter of 25 fact on the Wednesday morning, I think it was, she came on</p> | <p style="text-align: right;">Page 27719</p> <p>1 COLONEL VERMAAK: Chair, that was not 2 shared with me at all. I was not aware of that latest one 3 that was prepared and signed. 4 MR SEMENYA SC: Chair – 5 CHAIRPERSON: Mr Semenya, I know you want 6 to round this off. We'll adjourn once you've finished, 7 rounded off the point you want to make. 8 MR SEMENYA SC: Thank you. Thank you, 9 Chair. Colonel, did you in response to Commissioner 10 Hemraj's question to you say that you were told that there 11 is inadequate information to implement your plan? 12 COLONEL VERMAAK: No. 13 MR SEMENYA SC: Okay, we'll start with 14 that on the record when we resume. 15 CHAIRPERSON: Okay, do I have your 16 permission to adjourn now, Mr Semenya? Alright, we'll 17 adjourn until the morning of the 8th of May. The reason is 18 that it seems an unnecessary expense to come back on 19 Friday, regard being had to the fact that tomorrow is a 20 public holiday. As I've said before, the chamber will not 21 be available to us on Monday and Tuesday of next week. The 22 Wednesday it will also not be available, and in any event 23 that's the day of the election. So we will continue on the 24 8th. 25 We will then be continuing under the new</p> |
| <p style="text-align: right;">Page 27718</p> <p>1 the Wednesday and she drafted the papers, which is not a 2 search warrant, it's an authorisation which dispenses with 3 the need for a search warrant – 4 COLONEL VERMAAK: That's correct. 5 CHAIRPERSON: - signed by the Provincial 6 Commissioner. She prepared the necessary documents, the 7 actual authorisation plus the affidavits to be signed by I 8 think some senior officers. As far as we can tell from the 9 evidence the Provincial Commissioner didn't sign that on 10 the Wednesday, but on the Thursday she did. Captain 11 Moolman came back on the Thursday, compiled fresh documents 12 providing for a cordon and search for 36 hours from, I 13 think it was noon on the 16th until the end of the 17th. I 14 think that's right. This document was signed by the 15 Provincial Commissioner and, but it wasn't implemented 16 because the plan was to do that at a later stage. In other 17 words the tactical option would be implemented first, and 18 of course the tactical operation ended as we know it did 19 and so the cordon and search didn't take place. But what 20 you say isn't entirely correct. There was a decision to 21 take a cordon and search. The relevant documents were 22 prepared, signed by the Provincial Commissioner, with the 23 consequences I've explained. So I'm not sure why you don't 24 know that, but that is the evidence we've had, 25 uncontradicted evidence.</p> | <p style="text-align: right;">Page 27720</p> <p>1 proclamation which has been issued by the President – I'm 2 not sure if it's been Gazetted yet, but I've seen a copy 3 and it's been the subject of a presidential press 4 statement. 5 [13:01] We are continuing only in respect of terms of 6 reference 1.1 to 1.4 - 1.5 has been deleted – and we'll be 7 continuing until the 31st of July, and we will announce on 8 the 8th detailed procedural rulings we'll be making to deal 9 with the situation thereafter. They will include time 10 limits in respect of evidence-in-chief and cross- 11 examination in respect of the witnesses. A plan is being 12 drawn up by the evidence leaders as to which witnesses will 13 give oral evidence, but these matters will be discussed not 14 in this chamber but elsewhere with the representatives of 15 the parties, and so we will have a new way of working from 16 the 8th of May, but this witness I suppose won't be covered 17 by those, so he'll be the last witness under the old regime 18 and from then on things will be done in a different 19 fashion. 20 I would appeal to all the parties concerned to 21 appreciate the fact – I have said this often before, but as 22 I have said it hasn't always been listened to, but I trust 23 it will be listened to now. There is no question about 24 getting an extension beyond the 31st of July and I appeal to 25 everybody concerned to assist to ensure that this</p> |

1 Commission is able to hear the necessary evidence and to
 2 receive argument. I trust that in the meanwhile parties
 3 are already preparing argument in advance. I hope we'll
 4 have full argument. We will have a limited time for
 5 hearing oral argument, but we will obviously enable parties
 6 to highlight matters and put difficulties to them, but we
 7 have to finish the hearings by the end of July. The time
 8 thereafter will be spent to writing the report. It's very
 9 important for the work of the Commission, and it's very
 10 important, I would suggest, for the country as a whole that
 11 we should be able to finish our work and deal with the
 12 important matters in respect of which we've been asked to
 13 report. We will adjourn now until 9 o'clock on the morning
 14 of the 8th –

15 MR BIZOS SC: Chairman, I'm sorry, may I
 16 raise a matter which you have already made an appeal in
 17 relation to admissions contained in the expert reports. I
 18 ask, Mr Chairman, that you appeal to all of us to use the
 19 period between now and the 8th to either agree that the
 20 expert reports are admitted, or which portions are
 21 admitted, in order to avoid the calling of witnesses, of
 22 expert witnesses, which of necessity if they have to be
 23 called we will stand very little chance of finishing by the
 24 end of July.

25 CHAIRPERSON: Yes, thank you, Mr Bizos.

1 I may say the evidence leaders are already preparing a
 2 proposal to put before the parties in relation to the
 3 manner in which the expert evidence can be received, and
 4 that comment that you've made will be conveyed to them and
 5 they will be communicating with all the parties in regard
 6 to the proposals that they are going to make in that
 7 regard.

8 MR BIZOS SC: Thank you, Mr Chairman.

9 CHAIRPERSON: We will now adjourn until 9
 10 o'clock on the morning of the 8th of May.

11 [COMMISSION ADJOURNED]

12 .
 13 .
 14 .
 15 .
 16 .
 17 .
 18 .
 19 .
 20 .
 21 .
 22 .
 23 .
 24 .
 25 .



| | | | | |
|----------|--|---|--|---|
| A | <p>ago 27642:2 27647:4 27656:22</p> <p>agree 27658:11 27721:19</p> <p>agrees 27658:14</p> <p>airtime 27671:11</p> <p>alive 27674:17</p> <p>allayed 27655:23</p> <p>allegation 27659:4</p> <p>allegedly 27656:17 27702:10</p> <p>allow 27648:24 27654:11</p> <p>allowance 27664:20</p> <p>Alright 27661:2 27685:13 27697:17 27716:23 27719:16</p> <p>amendments 27707:9</p> <p>Amplats 27678:25 27679:11,13 27680:2</p> <p>ample 27654:19</p> <p>angle 27674:13</p> <p>Annandale 27666:25 27667:7,8,15 27668:5 27668:10 27706:2</p> <p>announce 27720:7</p> <p>answer 27645:18 27670:21 27672:13 27677:8 27683:16 27689:18 27693:4 27694:22 27695:3 27704:5,5,7 27712:14</p> <p>answered 27676:16 27698:24</p> <p>answers 27712:11 27716:19</p> <p>anterior 27676:17</p> <p>anybody 27713:21</p> <p>anyway 27646:19 27647:11 27649:21 27650:5,8 27656:21 27658:9 27659:25 27662:11 27687:6</p> <p>apart 27654:13,19</p> <p>apparently 27642:1 27650:2</p> <p>appeal 27720:20,24 27721:16,18</p> <p>appear 27646:21 27656:17</p> <p>appeared 27648:9</p> <p>appears 27661:5</p> <p>application 27655:6 27661:1 27698:9,21 27698:22 27705:3</p> <p>appreciate 27655:22 27668:8 27720:21</p> <p>approach 27682:15 27694:4 27703:11 27714:15</p> <p>approached 27702:1 27703:22,25</p> <p>appropriate 27648:3 27663:6</p> <p>approval 27704:14</p> <p>approve 27710:9</p> | <p>27717:8</p> <p>approved 27706:1 27717:16</p> <p>approximately 27647:8</p> <p>APRIL 27641:1</p> <p>area 27654:18 27699:21</p> <p>areas 27684:7 27687:20</p> <p>argue 27675:7</p> <p>argued 27674:2</p> <p>argument 27650:8,17 27650:19 27652:9 27654:22 27656:7 27674:1 27721:2,3,4 27721:5</p> <p>armed 27660:9 27675:19</p> <p>arms 27657:21 27658:6 27658:8 27660:12</p> <p>arose 27675:23 27677:2</p> <p>arrangements 27654:3 27654:6</p> <p>arrived 27652:23 27666:25 27667:10</p> <p>aside 27684:8,8</p> <p>asked 27649:18,19,20 27670:4 27672:14 27684:13 27689:23 27700:8,14,15 27701:3,18 27702:1 27702:11,17 27703:4 27704:9 27706:6,7 27717:9 27721:12</p> <p>asking 27676:10 27703:13 27704:3</p> <p>assessors 27652:25 27653:1,5</p> <p>assist 27645:21 27654:25 27656:6 27677:11 27683:20 27720:25</p> <p>assistance 27684:5</p> <p>assumption 27658:5</p> <p>attaching 27652:7</p> <p>attacked 27665:3</p> <p>attempt 27656:11</p> <p>attempting 27680:4</p> <p>attended 27713:16</p> <p>attention 27683:25 27690:15 27706:12 27709:10</p> <p>attitude 27650:16</p> <p>attorney 27641:19 27642:3 27643:11 27645:10,10 27647:21 27650:18 27651:5,24 27652:12 27653:2,13</p> <p>attorney/client 27651:22</p> <p>audio 27646:13,13,22</p> <p>August 27648:10 27679:18,19 27680:6 27691:2 27697:7</p> | <p>authorisation 27718:2 27718:7</p> <p>authority 27652:16,20 27654:23 27702:4</p> <p>avail 27645:15</p> <p>available 27643:9 27645:13 27648:10 27654:15,16,17 27670:2 27695:21 27719:21,22</p> <p>availed 27664:20</p> <p>avoid 27721:21</p> <p>avoided 27646:1</p> <p>aware 27647:25 27648:18 27672:10 27672:19,25 27682:25 27683:12 27690:2 27701:24 27716:3,5 27719:2</p> <p>A-section 27700:9,10</p> <p>A1 27698:7,16 27700:2 27700:2,5 27701:22 27704:24</p> <p>A16 27699:2</p> | <p>27647:12,17 27650:11,14,22 27651:1,15,16 27652:10,18,21 27653:2,5,6,9,10,13 27653:15 27655:2,3 27655:17 27656:19 27721:15,25 27722:8</p> <p>blocking 27696:19</p> <p>book 27675:15,17</p> <p>bound 27641:6 27656:22 27690:22</p> <p>box 27641:22</p> <p>branch 27653:20</p> <p>break 27659:23 27670:11</p> <p>briefed 27706:5</p> <p>Brigadier 27666:4,25 27668:6 27670:17 27680:10,25 27687:16 27688:4,16 27689:1,7 27697:13 27698:8 27699:6 27700:13 27701:19 27701:25 27702:16 27703:1,4,7,12,15,21 27704:9,25 27708:22 27714:5</p> <p>bring 27645:10 27709:10</p> <p>bringing 27683:25</p> <p>broad 27659:4,8 27684:17 27696:1 27702:2</p> <p>broader 27689:11</p> <p>brought 27643:5 27659:21 27690:15</p> <p>Brown 27666:13</p> <p>built 27664:25</p> <p>bullets 27677:23</p> <p>business 27713:2</p> <p>busy 27695:19</p> |
| | | B | | |
| | | <p>B 27706:15,16</p> <p>back 27645:6 27654:14 27659:21,23 27683:25 27685:17 27693:16 27695:7 27710:17 27718:11 27719:18</p> <p>backfire 27670:5</p> <p>background 27647:24</p> <p>bail 27698:9,21,21</p> <p>based 27704:21</p> <p>basis 27643:14,20 27650:5 27652:3 27654:4 27655:11 27668:17 27672:8 27686:2</p> <p>BBM 27670:16</p> <p>bearing 27657:22</p> <p>beg 27642:14</p> <p>beginning 27712:23</p> <p>behaved 27690:6</p> <p>behaviour 27676:24</p> <p>belief 27669:14</p> <p>believe 27665:22 27673:8,8,11 27675:13 27705:9 27706:1</p> <p>benefit 27658:17 27686:14 27704:21</p> <p>best 27663:11</p> <p>better 27641:15</p> <p>beyond 27654:4 27720:24</p> <p>big 27664:12 27688:3 27694:17 27714:15</p> <p>bit 27647:24 27715:17</p> <p>Bizos 27641:12,16,17 27642:14,17 27643:19 27644:1,7 27645:1,4 27647:11</p> | | |
| | | C | | |
| | | <p>Calitz 27668:6 27680:10,25 27687:16 27688:16 27689:1,7 27704:9 27708:22</p> <p>Calitz's 27688:4</p> <p>call 27644:10,13 27647:19 27656:8 27715:20</p> <p>called 27721:23</p> <p>calling 27721:21</p> <p>can't 27646:14 27654:5 27658:23 27674:11 27683:4</p> <p>capacity 27651:24</p> <p>Cape 27682:18,19 27687:7 27694:19</p> <p>Captain 27675:18 27717:23 27718:10</p> <p>cares 27704:6</p> <p>carry 27654:11 27659:14 27692:3,7</p> | | |

| | | | | |
|---|--|---|--|--|
| <p>carrying 27659:22 27687:21</p> <p>case 27656:23 27679:22,22 27696:3 27696:20 27698:15 27699:9</p> <p>cases 27696:4 27701:24</p> <p>cast 27654:21</p> <p>CAS119/08/2012 27699:1</p> <p>caught 27641:5 27657:4,6</p> <p>cause 27645:5</p> <p>caused 27699:4</p> <p>causing 27699:16</p> <p>cell 27654:6 27669:18 27671:3,11</p> <p>certain 27648:2 27714:21</p> <p>certainly 27689:8 27693:10 27712:23</p> <p>chairman 27642:7,18 27642:24 27643:1,8 27643:12,19 27644:3 27644:4 27645:4,8,17 27645:24,25 27647:12,18 27650:11,14,18,23 27651:12 27652:12 27652:15,18 27653:7 27655:9 27656:20 27713:7 27721:15,18 27722:8</p> <p>Chairman's 27652:24</p> <p>challenge 27694:21 27714:11</p> <p>challenged 27694:16</p> <p>chamber 27654:15 27719:20 27720:14</p> <p>chambers 27641:11 27648:5,19 27654:15</p> <p>chance 27649:12 27707:11 27717:21 27721:23</p> <p>change 27660:2</p> <p>changed 27654:5</p> <p>charge 27679:3 27689:11 27698:13 27699:17 27702:6</p> <p>charges 27696:23,23 27701:19 27704:20 27704:22</p> <p>chase 27675:10 27676:12</p> <p>chasing 27675:11</p> <p>choice 27651:10</p> <p>chose 27660:24</p> <p>CIG 27665:25 27671:7 27715:8,20</p> <p>circumstances 27645:16 27648:21 27649:24 27664:23 27688:20 27703:4 27707:15</p> <p>citation 27654:22</p> <p>claim 27651:11</p> | <p>clarify 27677:19</p> <p>clarity 27684:16</p> <p>clear 27649:24 27673:19</p> <p>clearly 27673:18 27679:23 27689:3</p> <p>client 27643:12 27644:12 27650:17 27653:3,14</p> <p>clinic 27675:5</p> <p>close 27665:1</p> <p>coal 27692:17 27693:7</p> <p>cogent 27646:1</p> <p>colleagues 27641:24</p> <p>colonels 27675:4</p> <p>come 27654:14 27666:14 27682:17 27682:17 27685:6 27686:2 27687:19 27688:17 27710:17 27719:18</p> <p>comes 27703:7 27712:3</p> <p>coming 27683:7 27685:20,23 27691:6 27691:15</p> <p>command 27675:22 27687:25 27689:2,3</p> <p>commander 27680:10 27688:7,21 27693:12 27693:14,23 27694:7 27694:8 27705:5 27708:15 27710:9,9 27710:15,16 27711:5 27711:7,10,12,13,19 27716:8</p> <p>commanders 27679:2 27680:19,22,22,23,24 27681:1,1,2,4,15,19 27682:1,9,9,13,21 27683:1 27684:1,9,19 27685:15,20 27687:12,12,20,21,21 27687:22 27688:18 27688:18,22 27689:9 27689:25 27690:3 27694:4 27695:5,8,9 27695:11,19,23 27696:22 27698:12 27702:24 27715:5,6 27716:18</p> <p>commander's 27711:2 27711:8</p> <p>commands 27673:13</p> <p>comment 27672:22 27689:22 27705:9 27708:16 27722:4</p> <p>comments 27680:1</p> <p>Commission 27641:2 27642:1,9 27644:22 27646:4 27648:13 27690:20,20,21 27721:1,9 27722:11</p> <p>Commissioner 27653:6 27664:4 27665:4,9 27670:24 27671:6 27677:10,15,25</p> | <p>27678:6 27684:5 27685:1,25 27686:5,8 27687:10,18 27688:2 27688:8,15 27690:16 27696:21 27697:2,5 27713:22 27714:17 27715:3,11,15 27717:15,16 27718:6 27718:9,15,22 27719:9</p> <p>Commissioners 27653:7,17 27657:1</p> <p>committed 27702:9,11</p> <p>committing 27702:10</p> <p>common 27645:5 27714:1</p> <p>communicated 27654:6</p> <p>communicating 27722:5</p> <p>communications 27652:7</p> <p>comparatively 27650:7</p> <p>compiled 27718:11</p> <p>complaining 27702:24</p> <p>complaint 27649:20 27715:12</p> <p>complaints 27698:16 27699:20,22 27705:8</p> <p>complete 27681:8,9 27712:10</p> <p>compliance 27703:16</p> <p>complicated 27651:12 27653:20</p> <p>compliments 27653:16</p> <p>comply 27698:3</p> <p>concentrate 27702:2,17 27704:9</p> <p>concern 27655:20</p> <p>concerned 27720:20,25</p> <p>concerns 27674:4</p> <p>conclusion 27686:9</p> <p>conducted 27709:6</p> <p>confess 27652:19 27655:19</p> <p>confidence 27675:11 27708:7</p> <p>confidential 27643:11</p> <p>confirm 27656:8 27665:23 27715:8</p> <p>confirmed 27713:6</p> <p>confirming 27717:2</p> <p>confusion 27660:19</p> <p>consequences 27718:23</p> <p>consider 27655:16 27662:17 27663:3,9 27716:18</p> <p>consideration 27670:14 27712:24</p> <p>considered 27712:23 27713:6</p> <p>considering 27654:20</p> <p>consistent 27645:6</p> <p>consistently 27715:20 27715:23</p> <p>consult 27643:3 27644:15</p> | <p>consultation 27642:5 27644:16 27648:21 27651:18,20 27652:1</p> <p>consulted 27648:4 27691:23</p> <p>consuming 27655:8</p> <p>contained 27721:17</p> <p>CONTD 27657:8 27691:1</p> <p>contemplated 27676:5 27676:11</p> <p>contend 27671:23</p> <p>contended 27643:15 27652:4</p> <p>contending 27672:4</p> <p>context 27644:14 27678:12</p> <p>continue 27650:8 27655:11 27719:23</p> <p>continues 27641:10 27684:17</p> <p>continuing 27719:25 27720:5,7</p> <p>contradiction 27645:20 27672:4</p> <p>contraventions 27697:23</p> <p>contribute 27702:7 27707:3</p> <p>contribution 27667:16 27707:19,21,23 27708:1,8,9</p> <p>contributions 27666:5</p> <p>control 27689:2</p> <p>conversation 27651:5</p> <p>conversations 27667:20</p> <p>conveyed 27722:4</p> <p>copies 27649:22 27695:21 27713:13</p> <p>copy 27642:2 27646:7 27646:22 27649:17 27649:18,21 27658:24 27720:2</p> <p>cordon 27657:10,16,21 27662:15,18 27663:6 27663:18,24 27664:4 27664:8,12,14 27665:11 27668:14 27669:2,12 27670:1 27672:7 27715:1 27716:12,25 27718:12,19,21</p> <p>cordoning 27665:12</p> <p>correct 27644:14 27646:9,21 27657:12 27658:5 27661:15,20 27662:9,13 27663:22 27663:25 27664:1,3,7 27667:12,18 27668:9 27668:16,20 27670:23 27671:19 27672:15 27674:6,9 27677:4,7,9,14 27678:20 27679:15 27680:7,12,15,17</p> | <p>27683:6,23 27685:2 27685:12 27686:4 27687:5,9 27688:6 27692:10,19 27693:6 27694:24 27696:8 27697:1,4,21 27698:5 27700:4,7,12,21,24 27701:6,9,14,16 27707:5 27709:3 27712:25 27713:4,8 27714:2 27715:14,25 27716:15 27717:13 27718:4,20</p> <p>corrections 27713:7</p> <p>correctly 27663:17 27664:11 27674:12 27675:3,14 27680:9 27714:24</p> <p>correctness 27681:5</p> <p>couldn't 27660:25 27673:18</p> <p>counsel 27641:4 27643:16,17,22,22 27644:15 27648:8,9 27651:22</p> <p>country 27682:4,17 27721:10</p> <p>course 27655:14,17 27658:6 27659:24 27665:18 27683:4 27684:17 27700:25 27718:18</p> <p>court 27705:3</p> <p>cover 27665:12 27700:3 27704:2</p> <p>covered 27680:3 27692:11 27720:16</p> <p>covers 27680:5</p> <p>co-Commissioners 27653:5</p> <p>create 27660:19</p> <p>credible 27642:8</p> <p>criminal 27696:23</p> <p>criticising 27698:11</p> <p>criticism 27671:21 27679:8,18 27680:5 27681:5 27682:7 27683:19 27686:1 27687:11 27690:6 27692:12 27694:6 27697:3 27702:23</p> <p>cross 27648:24 27649:11,12,25 27653:25 27655:11 27656:1 27660:15 27661:16 27720:10</p> <p>cross-examination 27641:11 27647:20 27649:14 27653:24 27657:8 27659:2 27680:9 27691:1</p> <p>cross-examinations 27645:18</p> <p>cross-examine 27648:1 27648:4,6,8 27650:16 27651:4 27654:8</p> |
|---|--|---|--|--|

| | | | | |
|--|---|--|---|---|
| <p>cross-examined 27641:23 27648:16 27655:5</p> <p>cross-examining 27648:20</p> <p>crowd 27657:15 27681:13 27696:2</p> <hr/> <p style="text-align: center;">D</p> <p>dangerous 27664:10,13 27665:24 27666:1,16 27669:2 27693:17 27697:24 27704:12 27714:11</p> <p>date 27666:10 27704:15</p> <p>dated 27678:22</p> <p>day 27641:22 27642:1 27645:17 27654:1,13 27659:20 27662:15 27663:1,5,6,11 27670:4 27702:3,9,10 27707:8 27711:2,8 27715:22 27719:23</p> <p>days 27642:11,21,22 27693:18 27699:25</p> <p>deal 27641:15 27642:22 27655:13 27678:24 27685:6 27692:8 27705:10 27708:12 27720:8 27721:11</p> <p>dealing 27655:13 27657:9 27695:19</p> <p>dealt 27660:25 27689:5</p> <p>debate 27646:12 27660:15 27661:11</p> <p>December 27645:6 27678:23 27690:10</p> <p>decide 27711:16</p> <p>decided 27661:16</p> <p>decision 27710:14 27711:17 27718:20</p> <p>decisions 27694:3</p> <p>decline 27655:2</p> <p>defendant 27644:15</p> <p>delay 27642:10,12,15</p> <p>delays 27645:25</p> <p>deleted 27720:6</p> <p>deliberations 27708:21</p> <p>delivered 27656:13</p> <p>deliveries 27686:13</p> <p>delivery 27693:19</p> <p>dependable 27669:11</p> <p>depended 27663:20</p> <p>depends 27659:11 27694:1,3</p> <p>deployed 27682:5 27691:3</p> <p>describe 27643:17,23</p> <p>described 27643:24 27690:7</p> <p>deserve 27653:18</p> <p>detail 27688:24</p> <p>detailed 27653:19 27720:8</p> | <p>determine 27643:10</p> <p>developing 27676:19</p> <p>didn't 27649:7,19 27655:19,22 27662:16 27663:19 27665:25 27667:3 27669:20 27670:11 27673:10,23,25 27675:14,24 27676:25 27680:24 27682:17,17 27683:2 27683:2 27684:20 27686:19 27687:1,13 27687:14,14 27695:20,21 27696:11 27698:6,7 27699:8 27701:18,20 27703:1 27704:1,16 27704:24 27706:23 27718:9,19</p> <p>die 27662:20 27666:2 27666:17</p> <p>difference 27694:14</p> <p>different 27652:6 27668:6 27674:13 27693:13 27694:8,16 27695:14 27706:19 27709:24 27711:12 27713:25 27716:10 27720:18</p> <p>differently 27693:23 27694:12</p> <p>difficult 27671:16 27686:12</p> <p>difficulties 27714:21 27721:6</p> <p>difficulty 27650:3 27672:3 27714:8</p> <p>disappeared 27656:18</p> <p>disclose 27647:19</p> <p>disclosed 27647:22</p> <p>discredit 27642:19</p> <p>discuss 27668:1,4,5 27714:3</p> <p>discussed 27655:4 27706:3 27709:19,21 27709:22 27720:13</p> <p>discussing 27669:25 27706:18</p> <p>dispenses 27718:2</p> <p>dispersal 27688:15</p> <p>disperse 27688:17 27690:12</p> <p>displayed 27685:15</p> <p>distinction 27667:15,17 27668:7</p> <p>distributed 27713:21</p> <p>distributing 27707:7,8</p> <p>docket 27698:6,17 27699:1,3,4,10,15,16 27699:16,17,20,21,22 27700:1,10 27701:21 27701:24,25 27702:5 27702:12 27704:25 27705:8</p> <p>document 27641:18,21</p> | <p>27641:25 27642:4,10 27642:18,23 27646:2 27647:21 27651:8 27655:6,12 27656:10 27678:22 27679:24 27692:4 27698:20 27718:14</p> <p>documented 27709:19</p> <p>documents 27647:19 27647:22 27649:14 27649:18,23 27650:4 27650:6 27718:6,11 27718:21</p> <p>doesn't 27646:21 27653:19 27674:7,9 27674:10 27684:7 27703:21 27705:5 27717:22</p> <p>doing 27662:18 27698:12</p> <p>doings 27671:17</p> <p>don 27704:4</p> <p>don't 27641:23 27645:7 27646:11,13 27646:18 27650:20 27652:3,8 27655:1,25 27657:18 27658:20 27659:1,14 27674:2 27674:23 27675:2,5 27679:2 27680:2 27681:7,10 27682:8 27682:18,24 27684:2 27685:6 27687:5 27688:23 27689:6,12 27691:8 27695:5,8,10 27696:6,22 27699:12 27700:1 27702:19 27703:6,10 27704:4 27705:7 27706:20 27707:3,13,19 27709:11 27711:22 27716:24 27718:23</p> <p>doubt 27645:8 27648:22</p> <p>draft 27656:8,9</p> <p>drafted 27718:1</p> <p>draw 27706:24</p> <p>drawn 27705:25 27710:2,7 27720:12</p> <p>driving 27670:6 27702:8,10,13</p> <p>due 27666:17 27702:16 27714:5</p> <p>duties 27688:14</p> <hr/> <p style="text-align: center;">E</p> <p>early 27652:23 27654:3 27717:24</p> <p>easiest 27696:5</p> <p>easily 27704:10</p> <p>East 27691:4</p> <p>Eastern 27687:7</p> <p>eight 27709:12,15,25 27710:4,10,11 27711:13</p> <p>either 27654:2,15</p> | <p>27673:19,21 27682:19 27695:20 27721:19</p> <p>election 27654:18 27719:23</p> <p>electronic 27649:17 27650:3</p> <p>electronically 27649:16</p> <p>emails 27656:7</p> <p>enable 27721:5</p> <p>encirclement 27662:18</p> <p>encountered 27684:21</p> <p>ended 27718:18</p> <p>Engelbrecht 27714:6,7 27715:21,21</p> <p>English 27701:10</p> <p>ensure 27651:25 27720:25</p> <p>entirely 27662:9 27693:8,9 27718:20</p> <p>entitled 27644:17 27645:10</p> <p>environment 27693:24 27693:25</p> <p>envisage 27676:22 27677:1</p> <p>envisaged 27664:5</p> <p>equally 27687:6</p> <p>equivocation 27672:3</p> <p>escaped 27657:6</p> <p>especially 27714:4</p> <p>essentially 27651:25</p> <p>event 27648:12 27654:17 27680:19 27719:22</p> <p>events 27672:18 27679:18,19 27697:25</p> <p>everybody 27649:11 27659:17 27720:25</p> <p>evidence 27642:6 27643:4,8,15,18,21 27643:23 27644:2 27645:8,12,13 27649:7,7 27651:21 27652:14 27656:9 27659:16,19,25 27662:14 27663:17 27663:21 27667:10 27669:17 27671:10 27671:15 27672:17 27672:20 27680:5 27686:18 27689:5 27691:20 27693:2 27702:7 27703:14 27704:21 27705:13 27711:4 27712:22 27717:22,22 27718:9 27718:24,25 27720:12,13 27721:1 27722:1,3</p> <p>evidence-in-chief 27677:16,18 27720:10</p> <p>examination 27650:1 27655:12 27656:2</p> | <p>27660:16 27720:11</p> <p>examine 27648:25 27649:13 27654:1</p> <p>examined 27649:12 27661:17</p> <p>example 27650:18 27670:4 27688:25 27696:19</p> <p>excluded 27655:6</p> <p>excuse 27646:1 27707:24</p> <p>execute 27714:10</p> <p>exercise 27679:25</p> <p>exercised 27689:2</p> <p>exhibit 27678:22 27692:6,7 27697:6 27701:13</p> <p>expect 27682:4</p> <p>expected 27641:3 27670:18 27700:17</p> <p>expense 27719:18</p> <p>experience 27652:24 27652:25 27664:9 27677:22 27679:2 27680:10,19 27681:11,15,20,24 27682:1,7,9,22,23 27683:3,15 27684:2 27684:10,22 27685:7 27685:15 27686:3,11 27686:24,25 27687:15,20 27688:12 27689:10 27693:21 27694:10 27694:11,12,13,14,18 27695:9,13 27696:13 27696:14 27703:19 27705:11 27706:4 27708:20</p> <p>experienced 27653:19 27662:12 27672:1 27686:16 27693:3 27708:15</p> <p>expert 27686:15 27721:17,20,22 27722:3</p> <p>explain 27650:23,24</p> <p>explained 27663:9 27675:12 27703:3 27711:21 27715:1 27716:10 27718:23</p> <p>explaining 27684:19</p> <p>explanation 27642:2,8 27642:9 27647:18 27702:2</p> <p>exposed 27681:22,23 27692:23 27694:18</p> <p>extension 27720:24</p> <p>extent 27716:2</p> <p>ex-attorney 27652:12</p> <p>eye-in-the 27703:7</p> <p>eye-in-the-sky 27689:4 27702:17 27703:15 27704:11</p> <hr/> <p style="text-align: center;">F</p> |
|--|---|--|---|---|

| | | | | |
|---|---|--|--|---|
| <p>fabricate 27673:2 27674:6</p> <p>fabricated 27674:10</p> <p>fact 27643:4,16,22 27644:20 27646:3,7 27648:6 27649:2,10 27650:6 27653:18,21 27665:21 27670:12 27671:15,20 27674:7 27674:8 27689:4 27700:2 27702:16 27712:5 27714:5 27715:21 27717:25 27719:19 27720:21</p> <p>faction 27669:1,1</p> <p>facts 27656:6 27657:14</p> <p>factually 27647:16</p> <p>fail 27705:17</p> <p>failed 27656:12</p> <p>fair 27642:23 27645:14 27645:22 27712:9</p> <p>fall 27683:5 27688:6</p> <p>far 27649:6 27658:21 27682:18,25 27687:2 27699:25 27700:3 27702:3 27704:13 27706:11 27712:18 27712:22 27716:1,2 27718:8</p> <p>fashion 27720:19</p> <p>father 27657:5</p> <p>faults 27690:13</p> <p>fears 27655:23</p> <p>feel 27655:23 27709:8,9</p> <p>fight 27662:20 27666:1 27666:17 27715:9,24</p> <p>fighting 27669:10</p> <p>fight 27669:1,1</p> <p>file 27646:13,22 27656:12 27698:16</p> <p>filed 27699:2 27702:12</p> <p>final 27710:14</p> <p>finalised 27705:19</p> <p>finally 27657:6</p> <p>find 27646:14 27658:23 27658:24 27671:17 27691:20 27709:4</p> <p>finish 27653:24 27654:2 27712:13 27721:7,11</p> <p>finished 27655:13 27719:6</p> <p>finishing 27721:23</p> <p>fire 27677:5</p> <p>firearm 27673:6 27674:1 27675:10,15 27676:12 27677:1</p> <p>firearms 27675:1</p> <p>fired 27676:23 27678:1</p> <p>first 27641:16 27662:17 27663:19 27663:23 27664:8 27665:2 27668:15 27679:1 27681:6 27689:19 27693:15 27694:21 27713:1</p> | <p>27718:17</p> <p>Firstly 27669:18 27684:7</p> <p>Fischer 27641:13</p> <p>follow 27650:18,20 27674:7 27686:18 27688:20 27691:20</p> <p>followed 27656:14</p> <p>following 27641:21 27679:1 27707:8</p> <p>foot 27675:10</p> <p>force 27706:23</p> <p>forgot 27656:23</p> <p>form 27720:15</p> <p>formally 27713:1</p> <p>formulate 27704:20</p> <p>forthcoming 27649:23 27650:7</p> <p>forward 27675:1 27714:18 27716:4</p> <p>found 27658:6,7 27661:20 27689:3</p> <p>founding 27700:6 27701:22</p> <p>Free 27683:11 27686:25 27687:4</p> <p>fresh 27718:11</p> <p>Friday 27654:13 27719:19</p> <p>friend 27650:15</p> <p>friends 27641:20 27647:18</p> <p>front 27699:21 27700:3 27701:20,24</p> <p>fruitful 27657:17</p> <p>full 27654:22 27655:22 27702:21 27721:4</p> <p>furnished 27642:3,8</p> <p>further 27641:9 27643:12,14 27658:10 27661:17 27662:10 27690:24 27715:18</p> <p>future 27685:2</p> <p style="text-align: center;">G</p> <p>garage 27670:11</p> <p>Garnett 27670:17</p> <p>gathered 27690:11</p> <p>gathering 27659:24 27704:11</p> <p>Gatherings 27698:4 27700:16 27703:9</p> <p>Gauteng 27683:10 27686:24 27687:3 27692:15 27694:17</p> <p>Gazetted 27720:2</p> <p>general 27666:25 27667:7,8,15 27668:5 27668:10 27689:12 27706:1,2 27707:11</p> <p>generalisation 27684:18</p> <p>generally 27643:11</p> <p>gentlemen 27693:9</p> <p>getting 27675:19</p> | <p>27697:18 27720:24</p> <p>give 27643:4 27647:18 27652:14 27653:19 27661:3 27665:24 27666:16 27667:3 27677:2 27681:4,14 27681:25 27682:4,8 27683:4 27684:5 27688:16 27691:22 27691:23 27702:2 27705:25 27709:18 27717:20,21 27720:13</p> <p>given 27641:24 27642:4 27643:5 27646:2 27649:17,22 27649:24 27666:23 27670:19 27689:25 27690:3 27699:23 27704:6 27710:8</p> <p>gives 27654:19</p> <p>giving 27682:24 27684:25 27712:10</p> <p>glad 27657:6</p> <p>go 27643:13 27649:13 27655:25 27661:17 27662:21 27675:19 27678:23 27681:18 27685:17 27689:6,8 27689:12 27693:16 27696:1,5 27698:15 27699:9 27714:10,25</p> <p>goes 27662:6 27715:17</p> <p>going 27641:14 27642:10,12,15 27643:7 27645:11 27647:20 27648:1,6,7 27649:13 27651:6,7 27654:2,8,9,18,20,21 27659:12 27661:11 27670:15 27675:7 27676:8,11,19 27683:2,24 27688:11 27694:4 27698:21 27704:20 27710:5 27714:14,15 27716:4 27722:6</p> <p>good 27685:8 27712:12</p> <p>granted 27657:2</p> <p>grateful 27653:16</p> <p>greatest 27652:10</p> <p>ground 27690:1,3</p> <p>group 27660:9 27661:21 27662:3,4 27671:2,16 27676:21 27676:24 27678:9,12 27690:12 27714:16</p> <p>guilty 27702:8</p> <p style="text-align: center;">H</p> <p>half 27669:23 27705:19</p> <p>hand 27659:14 27674:21 27710:7 27716:9</p> <p>handle 27681:11 27694:20</p> | <p>handling 27707:6</p> <p>hands 27674:25 27675:2</p> <p>handwriting 27701:8</p> <p>happen 27645:16 27662:15 27670:13 27672:7 27676:19,20 27676:22 27710:12 27713:9</p> <p>happened 27646:15 27647:24 27651:20 27652:1 27665:2 27685:18 27688:25 27689:13 27702:2 27705:13 27709:1,1</p> <p>happening 27708:14</p> <p>happens 27693:5 27699:24 27709:13 27710:1</p> <p>happy 27649:6 27712:16</p> <p>hardcopy 27716:7</p> <p>hasn't 27720:22</p> <p>haven't 27651:6 27652:20,21 27669:21 27671:7 27676:16 27682:13 27683:8 27685:7,22 27699:5 27701:23 27714:25</p> <p>hear 27670:25 27671:4 27721:1</p> <p>heard 27651:6 27670:7 27672:21 27674:12 27674:15 27677:20 27678:3</p> <p>hearing 27661:1 27715:12 27721:5</p> <p>hearings 27721:7</p> <p>held 27710:11 27713:25 27714:1</p> <p>helicopter 27675:9</p> <p>help 27691:9 27709:24 27713:23</p> <p>helpful 27656:16 27679:25 27683:3</p> <p>Hemraj 27660:12 27664:4 27665:4,9 27670:24 27671:6 27677:10,15,25 27678:6 27685:25 27686:5,8 27687:10 27687:18 27688:2,8 27688:15 27696:21 27697:2,5 27713:22 27714:17 27715:3,11 27715:15</p> <p>Hemraj's 27719:10</p> <p>he'd 27649:18</p> <p>he'll 27720:17</p> <p>he's 27641:14 27643:6 27651:6 27660:23 27662:11 27670:8 27673:20,24 27679:23,24 27692:8 27692:10 27704:5</p> | <p>27705:2</p> <p>HHH68 27678:22</p> <p>highlight 27721:6</p> <p>highway 27641:5</p> <p>history 27668:18 27681:19</p> <p>holding 27660:20</p> <p>holds 27711:12</p> <p>holiday 27654:14 27719:20</p> <p>home 27659:20,22</p> <p>hope 27721:3</p> <p>hostel 27669:6 27670:5 27715:1</p> <p>hostels 27657:16 27658:8 27664:5,15 27664:15 27665:6,12 27665:13,16 27669:6 27669:9,10</p> <p>hour 27669:7</p> <p>hours 27718:12</p> <p>houses 27664:25</p> <p>hyperbole 27642:21</p> <p style="text-align: center;">I</p> <p>idea 27665:5 27699:6 27710:12 27711:2,13 27711:19</p> <p>ideas 27709:15,25 27710:5,10</p> <p>identified 27679:1 27696:12</p> <p>identify 27673:19</p> <p>ignore 27714:19</p> <p>ignored 27708:9 27712:4,6</p> <p>ignoring 27708:13</p> <p>illegal 27696:3 27700:17 27704:11 27704:13</p> <p>illegally 27695:16</p> <p>illustrate 27689:15</p> <p>illustrates 27689:14</p> <p>imagine 27644:24</p> <p>immediately 27659:14 27669:1</p> <p>immense 27680:10</p> <p>Impala 27678:25 27679:12,14 27680:2</p> <p>implement 27709:15 27717:6 27719:11</p> <p>implemented 27663:20 27663:23 27710:5 27718:15,17</p> <p>importance 27655:7</p> <p>important 27647:21 27721:9,10,12</p> <p>impression 27659:17 27693:10</p> <p>improve 27706:20</p> <p>inaccurate 27673:13,14</p> <p>inadequate 27671:21 27672:5,6,8 27717:6 27719:11</p> <p>inaudible 27647:23 27656:19 27660:5</p> |
|---|---|--|--|---|

| | | | | |
|---|--|--|---|---|
| <p>incident 27664:10 27665:2 27680:6 27704:10</p> <p>incidents 27681:13 27690:10,12,13 27705:12</p> <p>inclined 27692:4</p> <p>include 27664:16 27665:13 27679:14 27698:11 27701:19 27702:15,25 27704:22 27720:9</p> <p>included 27665:16 27681:1 27701:21 27702:13 27704:19</p> <p>includes 27680:23</p> <p>including 27641:24</p> <p>incorporated 27706:13</p> <p>incorrect 27703:1</p> <p>independently 27688:3</p> <p>indicate 27647:14 27659:20 27691:19</p> <p>indicated 27648:5,14 27673:18 27703:21</p> <p>indicates 27641:12 27669:17 27712:22</p> <p>individual 27696:7 27709:15</p> <p>individuals 27683:19 27709:2,13 27710:11</p> <p>indulgence 27657:1</p> <p>inference 27674:11</p> <p>informal 27658:8 27664:16 27665:14</p> <p>information 27642:4 27656:20 27665:25 27666:2,21 27670:2 27670:19 27671:1,8 27671:12,17 27672:9 27672:11 27675:16 27683:4 27702:15 27705:1 27710:7 27714:8,25 27716:3,6 27716:25 27717:6,21 27719:11</p> <p>informed 27641:13,18 27643:3,7,12,14 27644:1 27645:16 27646:6 27655:3 27663:13</p> <p>injured 27675:5</p> <p>input 27665:24,25 27705:25 27706:10 27706:22,23 27707:13 27709:19</p> <p>inputs 27662:12 27706:6,8,12,12,24 27707:11</p> <p>inside 27700:3</p> <p>insist 27672:6</p> <p>insofar 27655:16 27680:1</p> <p>instance 27651:4 27670:8 27673:16 27694:17</p> <p>instances 27668:22</p> | <p>27702:15</p> <p>instruct 27676:13</p> <p>instructing 27641:19</p> <p>instruction 27675:25 27676:2,5,15 27677:3 27699:9</p> <p>instructions 27689:25 27690:2</p> <p>intelligence 27668:18 27668:23 27669:5,12 27669:19 27671:1,22 27672:5,6,8 27715:19 27716:12</p> <p>intended 27665:12</p> <p>intending 27644:13</p> <p>intention 27648:19</p> <p>interest 27665:10</p> <p>interested 27646:16 27660:17 27662:12</p> <p>interests 27645:23</p> <p>interpretation 27662:9</p> <p>interrupt 27650:9 27653:4,16 27659:2 27682:14 27685:25 27713:23</p> <p>interrupting 27647:11 27647:13</p> <p>interview 27643:15,21 27644:11,18,22,23 27645:9 27646:8,23 27646:24,25 27647:1</p> <p>interviewed 27644:6</p> <p>investigating 27699:23 27704:24</p> <p>invite 27678:21</p> <p>invited 27706:20 27707:3</p> <p>involved 27646:20 27688:24</p> <p>inyangas 27662:5,7</p> <p>in-camera 27661:1</p> <p>irrespective 27642:24</p> <p>Isaac 27714:5</p> <p>Isaacs 27665:23 27715:8,21,22,22 27717:2</p> <p>isn't 27658:22 27692:25 27718:20</p> <p>isolate 27679:25</p> <p>issue 27646:20 27689:8 27689:12 27709:24</p> <p>issued 27720:1</p> <p>issues 27646:4 27678:24 27682:10</p> <p>items 27713:1</p> <p>it's 27642:6,23 27645:4 27651:9,10,11 27654:13 27658:21 27661:6,15,17 27678:14 27683:19 27683:19 27689:6 27691:10,25 27692:5 27693:1,10 27704:10 27712:9 27718:2 27720:2,3 27721:8,9</p> <p>I'll 27647:3 27658:23</p> | <p>27659:9 27691:22 27717:20</p> <p>I've 27646:10,12</p> <p>27649:24 27656:7 27662:20 27663:8 27668:10 27670:19 27675:12 27691:14 27691:17,23 27695:13,25 27698:23 27705:8 27708:8 27711:21 27717:2 27718:23 27719:20 27720:2</p> <p>i.e 27646:22</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Ja 27659:18 27673:7 27678:17 27681:3 27697:14 27708:5</p> <p>jam 27641:5 27653:23</p> <p>jams 27657:5</p> <p>JOC 27668:11,11,12 27670:17 27691:23 27707:13 27713:21 27716:18</p> <p>JOCCOM 27662:13 27665:21 27666:6,22 27667:4,7,16,21,23 27668:7 27669:25 27670:25 27671:13 27705:17 27706:18 27707:2,18 27708:1,2 27708:15,19,20 27709:21 27710:8,16 27710:19,21,25 27711:19 27712:3,3 27713:10,24 27715:5</p> <p>JOHANNES 27641:8 27690:23</p> <p>Johannesburg 27691:4</p> <p>Judge 27647:3</p> <p>judgment 27663:5</p> <p>July 27648:10 27720:7 27720:24 27721:7,24</p> <p>justice 27642:24 27645:24</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep 27648:11 27655:12 27702:24</p> <p>kept 27646:2,6,21 27647:15 27656:17</p> <p>killed 27671:10 27693:18 27714:12 27714:13</p> <p>kind 27641:15 27684:20 27685:3</p> <p>kinds 27687:7</p> <p>Klerksdorp 27666:13</p> <p>knew 27687:2 27698:20 27702:8,16</p> <p>know 27641:23 27642:11 27643:2 27645:7 27646:14,18 27646:25 27647:1,3 27647:24 27657:14</p> | <p>27671:10 27672:17 27673:1 27674:2,7,23 27675:2,5 27676:10 27682:8,25 27683:2 27687:5,14 27688:25 27689:25 27691:8 27692:6 27694:7 27695:5,10,20,23 27699:8,12 27702:3 27703:10,18,21,23,25 27704:4,5,11,13 27705:5,7,13 27709:11 27711:11 27712:18,25 27713:18 27714:12 27714:12,14 27718:18,24 27719:5</p> <p>knowledge 27653:19 27696:23 27702:6 27704:16</p> <p>known 27671:12 27708:19</p> <p>koppie 27657:15,22 27658:1,2,7 27659:16 27660:8,10,10,20,23 27660:24 27661:21 27662:4,6,8 27671:2 27689:10 27714:11</p> <p>KwaMhlanga 27691:5 27691:9 27692:14</p> <p>KwaZulu-Natal 27688:11 27694:9</p> <p>KZN 27684:2</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L 27661:8 27697:7</p> <p>lack 27683:15 27685:15</p> <p>land 27675:9</p> <p>landed 27700:22</p> <p>language 27685:10</p> <p>large 27656:12</p> <p>larger 27662:3</p> <p>late 27649:15,23 27650:7 27651:8</p> <p>latest 27719:2</p> <p>law 27653:20 27655:15 27696:23</p> <p>lawyers 27643:3</p> <p>lay 27696:23 27710:15 27715:8,23</p> <p>lead 27649:7</p> <p>leader 27643:8 27644:2 27645:12 27649:7 27660:22</p> <p>leaders 27642:6 27643:16,18,21,24 27645:9 27651:21 27656:9 27720:12 27722:1</p> <p>leading 27716:2</p> <p>learned 27641:19 27647:18 27650:15</p> <p>leave 27695:16</p> <p>led 27686:8</p> <p>left 27662:4</p> | <p>legal 27644:8,9,18 27649:3,8 27651:18 27651:19 27652:2 27700:18</p> <p>legislation 27695:6,10 27695:20 27696:16 27705:5</p> <p>lengthy 27642:13,16,22</p> <p>letter 27683:18,18 27684:4</p> <p>letters 27695:14</p> <p>let's 27644:14 27646:19</p> <p>Lewis 27658:14,16,25 27659:3,9,11,13,18 27661:2</p> <p>Lieutenant 27641:5</p> <p>Lieutenant-Colonel 27698:25</p> <p>light 27648:22</p> <p>limited 27721:4</p> <p>limits 27720:10</p> <p>Limpopo 27683:10 27687:3</p> <p>line 27688:17,20 27689:4</p> <p>list 27685:22 27691:23</p> <p>listen 27670:18</p> <p>listened 27720:22,23</p> <p>litigation 27644:14</p> <p>little 27715:17 27721:23</p> <p>lived 27665:6</p> <p>lives 27676:9</p> <p>living 27664:21</p> <p>living-out 27664:20</p> <p>LLL26 27661:6,9</p> <p>Loest 27675:18</p> <p>logic 27686:18</p> <p>long 27646:8 27648:12 27658:22 27659:12 27687:15</p> <p>Lonmin 27678:25 27679:11,13,17,22,24 27679:25</p> <p>Lonmin/Marikana 27680:1</p> <p>look 27647:2 27655:15 27658:23 27659:9 27678:21 27679:20 27679:21 27683:17 27684:6 27685:18 27688:23 27690:8 27695:4 27696:1</p> <p>looked 27705:4</p> <p>looking 27659:11</p> <p>looks 27697:17</p> <p>lost 27653:22</p> <p>lot 27649:1 27653:22 27664:9 27689:5 27690:10 27701:19 27704:2</p> <p>loud 27677:24</p> <p>lunch 27659:22,23,23</p> <hr/> <p style="text-align: center;">M</p> <hr/> |
|---|--|--|---|---|

| | | | | |
|---|---|---|--|---|
| <p>major 27641:5 makarapas 27660:21 27661:21 27662:4,5,7 27669:18 making 27649:10 27661:20 27662:13 27667:15 27673:24 27689:14,15 27707:23 27708:1 27712:1 27720:8 man 27689:13 27708:19 management 27681:13 27696:2 manager 27710:15 managing 27682:10 manner 27722:3 manuscript 27666:4 march 27694:20 27695:17 27696:4 27700:18,18 27702:4 27704:13,14,17 marches 27694:17 marching 27695:16 Marikana 27664:10 27665:1 27679:4,6,8 27679:14,19,21,22 27680:6 27685:16 27688:3 27690:11 27693:16 27699:1 27705:12 27709:21 Marikana/Lonmin 27679:23 material 27653:25 27654:8 27702:13 matter 27645:25 27651:12 27652:14 27654:22 27655:7,14 27655:16,25 27658:9 27660:12 27661:11 27661:16,18 27662:10 27665:21 27668:4,5 27673:22 27707:1 27717:24 27721:16 matters 27697:16 27720:13 27721:6,12 mean 27674:9,10 27678:8,15 27689:4 27692:17 meant 27678:18 27684:24 mechanic 27670:8 mechanism 27699:14 meeting 27667:4,7,16 27667:21 27668:7,11 27668:12 27670:25 27713:1,3,15,24 27715:20 meetings 27666:6 27707:6 27712:24,25 27713:10 member 27662:13 27669:19 27676:3,15 27678:4,7,8,12,13,15 27681:7 27698:14</p> | <p>27706:18 27707:2,13 27707:18 27708:1 27709:18 members 27642:5 27662:23 27667:21 27672:19 27673:4,5 27673:20,21 27675:13,18,22,25 27676:13 27679:2 27680:23 27683:16 27686:16 27688:10 27691:4 27694:3 27695:8 27706:4 27707:9 27710:17,22 27710:24 27713:12 27714:4 27716:11 mention 27662:25 27668:12 27670:16 27673:25 27677:16 27697:22 27700:16 27714:9 mentioned 27662:17,22 27663:12 27666:21 27667:22 27674:1 27687:17 27695:25 mentioning 27694:6 Merafe 27672:18 27673:1 27674:6,10 27674:17 27675:2 27680:14,25 27687:16 27708:14 27708:23 Merafe's 27708:17 mere 27653:18 Mguye 27673:19,22 microphone 27647:23 27656:19 27658:14 27660:5 middle 27662:3 militant 27657:14 millimetre 27675:17 mind 27660:16 27667:17 27684:16 mindful 27702:22 mine 27679:13,13,14 27681:20,24 27684:7 27686:11 27693:2,3 27693:10,12,24 mines 27679:13 27683:8,11,13 27684:9 27686:17 27692:16,17 27693:1 mineworkers 27693:8 mine-related 27686:3 27687:3,4,8 minute 27647:15 minuted 27712:19 27713:19 minutes 27707:7,8 27712:22,23,25 27713:2,10,13,19 misconduct 27649:20 misheard 27674:5 mission 27662:4 mist 27656:18 mistaken 27647:9</p> | <p>27674:9,17 moment 27717:21 Monday 27654:16 27714:13 27719:21 Moolman 27666:4 27717:13,23 27718:11 morning 27641:12,18 27649:22 27652:23 27653:22 27654:23 27656:18 27657:2 27659:21 27660:4,9 27666:22,23 27667:1 27667:2,10 27717:25 27719:17 27721:13 27722:10 mother 27657:5 motor 27670:6 Mpembe 27706:2 Mpumalanga 27691:10 27692:17 27693:5,8 murder 27702:6,7,9,11 27702:12 mustn't 27716:2</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name 27684:4 names 27681:4,14 27682:1,5,8,13,24,25 27687:17 narrative 27649:24 narrow 27662:25 Natal 27683:7,16 27687:5 National 27670:17 nature 27674:20 27693:3 27716:13 necessarily 27682:24 27687:24 27689:7 necessary 27642:8 27655:16 27658:22 27675:14 27676:23 27681:11 27682:22 27683:3 27687:15 27718:6 27721:1 necessity 27675:22 27721:22 need 27658:20 27674:3 27676:12,14 27718:3 needed 27676:8 27705:2 27707:9 neglect 27671:22,25 negligent 27702:8,10 27702:13 Neither 27697:22 27706:7 never 27649:5 27656:14 27660:16 27671:24 27674:24 27675:15 27687:17 27692:22 27696:19 27716:7,8 new 27719:25 27720:15 news 27692:20 nice 27672:12 night 27655:18</p> | <p>27657:15 27662:22 NIU 27691:5 Nkaneng 27664:24 27690:11 Noki 27660:21 non-mine 27693:24 noon 27718:13 normal 27688:19 27690:1 27693:19 27702:15 27707:9 27714:14 normally 27644:5 27669:2 27678:15 27687:25 27696:2 North 27681:22 27683:9,15,21,22 27684:1,9,21 27685:21 27686:16 27686:17 27687:1,22 27688:11 27691:3 27692:24 27693:3 27694:7 27696:14 Northern 27682:19 27694:19 note 27690:17 notes 27666:4 notice 27641:24 27643:5 27651:8 27655:19 27703:8 November 27656:12 number 27642:11 27657:4 27661:4 27664:19</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>object 27641:17 27648:15 27657:20 objection 27641:13,14 27641:20 27673:15 27673:17 objections 27674:14 observe 27690:13 observed 27686:6 obtain 27702:21 obvious 27645:14 27669:8 27674:20 obviously 27652:5 27655:4,14 27683:4 27721:5 occasion 27652:4,5,11 27652:14 occurred 27648:2 October 27656:10,14 offences 27704:2 offer 27655:2 officer 27668:2 27699:23 27704:24 officers 27643:2 27687:14 27693:9 27705:11 27718:8 official 27645:7 27707:10 okay 27647:10 27666:19 27668:13 27668:21 27672:16 27681:3 27685:14</p> | <p>27691:11 27693:11 27695:4 27700:19 27711:11,24 27719:13,15 old 27720:17 omit 27672:16 once 27649:13 27655:13 27661:16 27714:24 27719:6 ones 27660:22 27691:5 27691:12 27692:11 onwards 27690:9 27705:22 OOO8 27697:6,12 27701:15 27705:4 open 27696:3,4,20 27698:6,15 27699:9 27699:19 27700:1 opened 27699:3,4,10 27699:15,16,17 27701:25 27702:6 27705:8 opening 27650:3 27699:15 operating 27689:9 operation 27670:5 27672:5,11 27675:17 27679:8 27688:3 27709:6,13,16,25 27710:12,15 27712:16 27718:18 operational 27688:21 27710:9,15 27711:5,6 27711:7,12 27712:3 27716:8 operations 27668:19 27709:12 opinion 27686:15,16 27711:8 27712:8 27716:18 opportunity 27642:19 27643:6 27652:22,22 27655:1,15,17,24 27689:22 27712:10 oppose 27698:21 opposed 27665:6 option 27643:9 27663:20,23 27668:15 27718:17 oral 27720:13 27721:5 order 27642:18 27643:10 27651:25 27681:22,23 27688:16,17 27721:21 orders 27687:22 27688:4 original 27650:16 Originally 27647:25 outcome 27668:24 27672:11 outside 27648:8 27667:6,21 27668:1 27668:10 27691:3 overall 27684:4 27688:7 27707:15</p> |
|---|---|---|--|---|

| | | | | |
|---|--|--|--|---|
| <p>27711:2,10,13,19 overnight 27660:8 owner 27670:9 o'clock 27654:5,9 27705:19 27721:13 27722:10</p> <hr/> <p style="text-align: center;">P</p> <p>page 27691:19 paid 27706:12 papers 27718:1 paragraph 27658:18 27661:4,6,9 27678:23 27684:12 pardon 27642:14 part 27642:21 27657:15 27671:22 27671:25 27700:17 27701:20 27705:20 27705:22 27708:13 27711:13 27712:2 participating 27641:4 particular 27645:15 27660:13 27662:15 27663:1,5 27678:23 27696:7 27704:14 27709:13 27712:3 parties 27654:24 27656:6 27658:17 27720:15,20 27721:2 27721:5 27722:2,5 party 27643:17,23 27644:6,6,10,21,21 27652:2 party's 27644:5 passage 27659:7 27661:12 27662:8 passages 27662:22 pay 27649:5 PC 27683:15,23 27684:1 peaceful 27714:15 peculiar 27687:11 penetrate 27671:16 people 27657:5 27659:16,20,22 27660:8,20 27661:24 27662:1,20 27665:24 27666:15 27669:6,10 27669:18 27671:2,16 27673:25 27675:11 27675:19 27676:21 27676:24 27681:21 27682:3,16 27683:7 27685:6,7,23 27686:11,24,25 27687:14 27688:1 27690:11,12 27691:3 27692:14,15 27693:17,17 27694:17,19 27695:15,16 27696:3 27696:5,13 27700:17 27702:3 27704:14,16 27706:24 27708:20 27709:10 27711:16</p> | <p>27712:18 27714:11 27714:12,13,14 27715:8 period 27642:13,16,25 27648:12 27672:5 27701:2 27721:19 permanently 27662:7 permission 27644:24 27704:17 27719:16 persist 27690:19 person 27651:3 27671:3 27675:5 27677:21 27699:15 27717:1,3 persons 27655:4 peruse 27655:24 Phokeng 27675:4 phone 27654:7 27671:11 phones 27669:19 27671:3 pick 27645:20 picture 27690:9 Pillay 27659:25 27660:1,7 27661:6,9 27673:15,17 27674:14 27691:18 27692:6 27703:20 27711:4 27712:9 pistol 27675:17 Pitsi 27680:16,25 27687:17 27708:24 place 27644:17 27646:9 27646:24,25 27647:1 27656:5 27663:14 27670:20 27681:6 27692:18 27693:15 27717:12 27718:19 plaintiff 27644:17 plaintiff's 27644:16 plan 27663:13,13 27705:19,25 27706:6 27706:13,15,15,15,18 27706:20,24 27709:5 27709:5,20 27710:2,6 27710:8,16 27712:6 27712:17,19 27714:10 27715:13 27716:6,9 27717:3,6 27717:12 27718:16 27719:11 27720:11 planner 27708:10 planning 27705:11,13 27708:14 27709:1,8,9 plannings 27705:22 plans 27716:4,7 platoon 27680:23 27681:2,18 27687:12 27687:21 27688:18 27688:21 platoons 27687:19 play 27675:21,23 please 27650:8,24 27663:22 27674:6 27682:8 27685:2 27695:8 27710:6</p> | <p>plural 27695:20 plus 27718:7 point 27646:20 27649:3 27649:10,21 27650:21 27654:25 27659:2 27660:19 27661:19 27673:24 27674:1,4,16,18 27682:16 27683:5 27687:11 27689:14 27689:15 27692:25 27695:22 27709:1 27712:1,13,13 27714:20 27719:7 pointless 27654:14 points 27648:2 27650:13 27702:18 police 27641:20 27643:2 27644:13 27645:7,21 27646:3 27648:2 27649:5,12 27649:14 27664:11 27668:1 27669:25 27671:12,23,25 27674:25 27678:16 27681:18,23 27682:12 27683:20 27690:12 27709:12 27710:5 27711:20 27715:10 policeman 27678:14 policemen 27665:2 27676:8 27682:5 27690:14 27694:19 POP 27662:12 27680:10 27681:15 27682:1,9,21 27683:1 27683:16 27684:1,8 27684:19 27685:15 27685:19 27686:16 27691:3,4,4,4,5,21 27692:10 27693:12 27693:13 27694:3 27706:4 27708:15,20 27715:4,6 27716:17 POP-experienced 27709:2 portions 27721:20 position 27656:13 27664:2 27665:19 positive 27668:24 possibility 27670:1 possible 27658:17 27674:11 practical 27654:24 27688:25 practice 27707:1 27711:20 practitioner 27645:15 precaution 27645:14 precisely 27658:19 27671:9,11 27678:3 27702:24 27708:25 precluded 27698:18 precluding 27707:23 27708:1</p> | <p>preferably 27693:21 premature 27661:17 premiered 27672:6 prepare 27693:20 prepared 27643:6 27648:15,24 27715:9 27717:14 27718:6,22 27719:3 preparing 27721:3 27722:1 presence 27644:19 27645:3 27709:2 present 27644:9,17,25 27705:14,15,25 27706:4 27707:19 27713:25 27715:5 preserve 27662:6 President 27720:1 presidential 27720:3 press 27720:3 presumably 27677:17 27682:24 Pretoria 27691:4,5 Pretorius 27641:19 27644:3,4,12,24 27645:19 27646:12 27651:24 27666:4 Pretorius's 27644:19 27645:3 prevail 27709:14 27710:13 27711:2,8 27711:14,20 27712:8 previous 27668:18,18 27668:22 27712:25 27713:2,15 previously 27663:12 privilege 27651:11,13 27651:17 27652:7 27653:3 privileged 27652:4,5,11 27652:15 probabilities 27675:8 probably 27643:2 problem 27671:25 27685:3 27696:12,13 27704:4 problems 27683:8,11 27683:12 27684:20 27685:5 27692:20 27715:18 procedural 27720:8 procedure 27707:10 procedures 27707:10 proceed 27654:11 27656:1 proceedings 27641:1,4 27641:25 27642:10 27642:13,16 process 27649:1 proclamation 27720:1 produced 27649:15 profession 27651:3 27653:8 proof 27657:19,23 proper 27707:7 properly 27693:8</p> | <p>27707:6 27709:18 proportion 27665:5 proposal 27662:17,25 27663:2,4,8,9,17 27665:5,11 27717:8 27722:2 proposals 27722:6 proposing 27644:10 proposition 27652:17 27659:8 27660:7 27661:14 27689:13 prosecutor 27700:1 27704:20 prospects 27657:10 27668:23 protect 27662:5 27676:9 protesters 27696:24 proved 27657:17 provide 27700:9 providing 27718:12 province 27683:1,1,9 27683:12 27692:24 27696:14 provinces 27681:21 27682:16,20 27683:9 27683:10 27684:4,19 27685:4,5,7,16,20,24 27691:7,15,24 27693:1,1 Provincial 27684:5,25 27690:16 27717:14 27717:16 27718:5,9 27718:15,22 public 27681:22,23 27696:18 27704:19 27719:20 purely 27686:1 put 27646:6 27648:2 27650:9 27657:13 27658:18 27659:5,8 27660:8,9 27661:13 27661:14 27663:10 27671:2 27672:17 27674:11,25 27685:1 27687:25 27694:19 27697:8 27699:20 27703:12 27704:24 27705:1 27714:18 27716:2,9,22 27721:6 27722:2 putting 27645:22 27665:19 27676:20</p> <hr/> <p style="text-align: center;">Q</p> <p>quasi 27643:17,23,25 27644:6,21 question 27651:9 27653:2 27662:24 27663:10 27670:4,22 27671:21 27672:14 27676:17,17 27677:6 27689:18,23 27692:9 27698:24 27701:17 27703:11,24 27704:1 27704:3 27712:14</p> |
|---|--|--|--|---|

| | | | | |
|--|--|---|---|--|
| 27719:10 27720:23 questioning 27660:3,3 27660:6 questions 27642:20 27645:18 27665:19 27684:16 27716:2 quick 27647:2 quickly 27698:9 27705:1,1 quite 27646:8 27649:6 27668:6 27679:23 | 27669:25 27670:6 27679:24 27680:24 27681:4 27684:11 27691:6,13 27695:11 27695:24 27696:17 27707:1 27710:23 refers 27679:12,21 reflect 27666:5 reflection 27689:7 refuelled 27701:3 refuelling 27701:4 regard 27649:9 27650:3,13 27660:14 27719:19 27722:5,7 regarded 27643:11 27644:12 regards 27671:1 regime 27720:17 Regulation 27698:3 27703:9 reinforcements 27685:3,4 relate 27679:8,9 27680:1,2 related 27676:17 relates 27676:18 27679:17 27697:3 27703:24 relation 27664:5 27665:11 27672:18 27690:6 27697:15,24 27715:19 27721:17 27722:2 relationship 27651:22 27651:23 27653:14 relaying 27687:22 relevant 27642:18 27646:3 27650:12 27658:18 27718:21 reliable 27671:17 reliably 27643:8 relied 27661:12 reluctant 27650:16 rely 27649:15 27692:5 remained 27662:5 remember 27657:11 27658:19 27675:3 27678:3 27692:23 27697:19 27699:25 27712:22 27714:24 remind 27656:22 reminded 27649:2 27650:2 reminding 27656:23 remove 27669:2 removing 27664:13 repeat 27704:6 27707:24 repeated 27667:11 repeatedly 27649:4 report 27721:8,13 reported 27715:21,23 reporting 27688:13 reports 27721:17,20 representation 27649:3 27649:8 | representative 27644:9 27644:9,18 27651:19 27652:2 representatives 27651:19 27715:19 27720:14 representing 27644:20 requested 27644:23 27698:8 research 27654:21 respect 27642:25 27650:19 27651:9,15 27652:11,13 27682:21 27699:17 27713:10 27720:5,10 27720:11 27721:12 respects 27653:20 response 27719:9 responsibility 27670:12 27698:15 rest 27654:1 resume 27654:22 27690:18 27719:14 resumed 27650:1 resumes 27641:2 27690:20,21 resuming 27654:19 revisit 27674:13 re-examination 27692:9 right 27647:7 27651:2 27656:21 27669:20 27679:4,14 27684:22 27684:23 27688:18 27698:4 27700:8 27705:14 27707:4 27716:14 27718:14 rights 27648:15 27649:8 rituals 27666:17 river 27676:21,25 27677:11 riverside 27674:22 Road 27696:18 27697:23 roads 27696:19 round 27719:6 rounded 27719:7 rubber 27677:23 rulings 27720:8 run 27675:21 running 27648:14 Rustenburg 27681:23 R5 27672:19 27674:21 27674:24 27675:3,6,9 27675:11,15,21 27677:13,17,21,24 27678:1,4,8 | satisfy 27652:6 saw 27674:21 27675:3 27675:6,20,23 27676:18 27677:21 27678:4 27696:14,19 27698:20 saying 27645:12 27652:13 27660:23 27663:10 27668:13 27670:1 27676:5 27679:7,18 27683:25 27684:8 27685:11 27687:8 27692:10 27696:9,22 27703:14 27707:1,17 27709:1 27711:1,7 says 27644:15 27646:13,14 27658:5 27660:14,22 27674:7 scenario 27690:7 scene 27689:1,13 27690:6 27698:14 27699:6 scenes 27679:3 27682:2 27684:10 27689:11 Scott 27663:12 27706:1 27716:10 27717:4 screen 27661:11 27695:8 27697:9,18 27716:9 search 27642:7 27657:10,16,21 27662:15,18 27663:7 27663:18,24 27664:5 27664:8,12,15 27665:11,13,13 27668:14 27669:2,12 27670:1 27672:7 27715:1 27716:13,25 27717:14 27718:2,3 27718:12,19,21 searched 27670:6 second 27661:4 section 27680:22 27681:1,18 27687:11 27687:21 27688:12 27688:18,21 27689:9 27693:12,13,23 27694:7,8 27700:10 sections 27687:19 27688:6,13 see 27658:14,24 27661:11,12,20,23 27665:17 27670:15 27672:2,4 27675:8,14 27679:17 27682:12 27683:18 27686:22 27693:19 27696:3 27701:17 27704:4 27706:11 27715:3 seek 27649:2 seen 27642:2 27652:20 27660:25 27692:20 27720:2 seizure 27672:7 Sekgweleya 27673:19 | 27673:22 self 27665:1 Semenya's 27651:8 send 27656:11 senior 27641:19 27642:3 27653:7 27662:23 27687:22 27698:14,15 27705:11 27712:18 27714:4 27718:8 sensible 27654:10,24 sent 27646:7,13,23 27649:16,21 27650:4 27656:9 27670:16 separate 27714:19 September 27647:8 27664:11 Sergeant 27666:13 serious 27693:17 27705:12 seriously 27670:10 service 27678:16 27686:13 27693:19 sets 27692:4 settlement 27658:9 27664:17 27665:14 settlements 27665:7 shacks 27658:8 27664:16,21 27665:14 shaft 27665:1 share 27669:16 27688:12 shared 27719:2 she's 27659:12 27661:3 shoot 27673:14 27675:22 27676:13 shooting 27677:13,17 27678:5,8 short 27698:7 shortcomings 27679:1 27709:10 shorten 27660:15 shotgun 27677:17,23 shots 27676:23 27677:21,22,25 shouldn't 27654:7 27673:8,11 side 27676:24,25 27678:1 27702:21 sideshow 27646:20 sign 27717:15 27718:9 signed 27713:6 27718:5 27718:7,14,22 27719:3 significance 27645:2 27655:22 similar 27685:5 simply 27714:19 sincerity 27648:23 sit 27648:13 27654:4 27693:16 sitting 27654:3 27708:2 situation 27652:6 27653:11 27676:18 27676:22 27677:2 |
| R | | | | |
| raise 27641:12,14 27721:16 raised 27650:13 27674:16 Rand 27691:4 reaction 27672:23 read 27649:18,21 27673:3 27679:24 reads 27678:25 real 27704:21 really 27674:2 27683:10 27694:21 27705:21 27711:22 27716:6 reason 27645:20 27646:2 27648:22 27649:23 27650:6 27673:1 27674:17 27703:25 27719:17 reasonably 27654:3 reasoning 27686:15 reasons 27641:20 27660:24 recall 27646:11 27658:21 27664:11 27700:3 receive 27713:12 27721:2 received 27656:13 27662:21 27716:7,8 27722:3 receiving 27646:12 recollection 27659:15 27660:13 record 27643:7 27645:11 27647:21 27650:10 27651:7 27656:6 27692:1,2 27719:14 recorded 27642:5 27643:5,10 27645:13 27645:19 27647:22 27651:5 27652:8 recording 27652:13 27656:11,15 recordings 27656:15 refer 27659:7 27680:24 27701:20 27707:14 reference 27679:3 27680:3 27720:6 referred 27653:23 referring 27662:8 27666:10 27667:19 | | | | |
| | | S | | |
| | | safely 27657:7 SALMON 27641:8 27690:23 SAPS 27644:20 27665:20 satisfactory 27648:11 | | |

| | | | | |
|---|---|---|--|---|
| 27686:12 27690:1,1 27693:12 27694:2,2 27696:1,2 27711:16 27720:9 situations 27680:20 27681:16 27693:20 27694:16 six 27688:10,11 sky 27689:17 27703:8 sleeping 27660:20,23 27661:21 slept 27662:7 slight 27660:2 slightly 27674:13 slim 27675:8 solely 27644:19 somebody 27670:7 27675:9,21 27682:7 27699:10 27703:15 somewhat 27641:3 sorry 27643:13,19 27647:11 27650:8,20 27651:13,16 27653:4 27653:15 27657:24 27658:16 27666:20 27682:14 27685:25 27689:20 27692:21 27695:9 27710:23 27711:7 27713:22 27717:18,20 27721:15 sort 27689:25 27693:20 27704:14 sorted 27649:13 sought 27649:15 sound 27656:10,15 27677:24 sounds 27653:23 27657:4 soundtrack 27646:23 South 27682:10 27694:15 so-called 27664:20 speak 27643:6 27644:2 27677:18 27696:6 27703:8 specific 27665:25 27675:16,17 27682:20 27690:3,13 27699:21 27702:18 27704:10 27712:15 27714:8 specifically 27668:12 27678:4 27681:20,23 27683:13 27684:4 27696:15 27700:16 27706:6,8 27716:7 specify 27662:14 27663:5 27699:16 spend 27654:20 27674:3 spent 27642:22 27657:15 27721:8 splitting 27688:10 sprung 27652:23 squalor 27664:21 | stage 27649:15 27650:7 27663:10,13,23 27665:15 27666:1 27683:19 27690:2 27695:15 27700:2 27702:21 27708:23 27712:20 27717:13 27718:16 stages 27716:10 stand 27670:19 27708:7,9,10 27709:8 27721:23 standards 27695:14 start 27664:8 27705:12 27719:13 started 27662:19 27680:9 state 27648:11 27683:11 27686:25 27687:4 stated 27665:19 statement 27645:5 27658:18,22 27659:6 27660:23 27661:4,15 27662:2,21 27669:22 27677:16,18 27691:22 27697:7,13 27697:20 27698:7,8 27698:11,17,19 27699:2,2 27700:6,9 27700:14,16 27701:7 27701:12,18,22 27702:12,21 27703:5 27703:11,22 27704:3 27704:16,22,25 27720:4 statements 27673:4,5 27700:11 stating 27698:19 stay 27695:2 27714:8 stayed 27660:8,9,11 27662:7 27688:13 27714:4 steps 27664:8 stipulated 27710:8 stood 27648:7 27649:11 27650:1 stop 27701:5 stopped 27657:9 stored 27658:7 strategic 27660:24 strategy 27712:4 stream 27677:13 strengthens 27650:17 27650:19 strictly 27647:19 strike 27686:12 striker 27677:12 27678:9,10,11 strikers 27665:6 27678:12 27696:24 27715:23 strikes 27692:23 strong 27642:7 strongly 27674:12 structure 27708:4 | structured 27713:1 study 27655:18 subject 27712:21 27720:3 submission 27641:15 27647:14 27661:13 27661:13 submissions 27654:25 27655:15 27668:7 submit 27643:8 27652:11 submitted 27642:1 subsequently 27641:13 successes 27664:12 successful 27657:11,19 27669:13 sufficiently 27653:7 suggest 27659:13 27715:2 27721:10 suggested 27649:4 27713:7 suggesting 27714:22 suggestion 27653:21 27655:8 27666:14 27668:14 27712:17 suggestions 27665:20 Sunday 27649:17 27662:20 27670:16 27714:3,12 supplementary 27658:21 support 27655:5 27698:7 27715:4,7 supporting 27668:23 27716:12,13 suppose 27682:23 27720:16 supposed 27681:12 sure 27645:19 27646:8 27647:14,25 27648:18 27651:8 27652:24 27655:7 27658:23 27659:3 27688:24 27689:2,3 27689:10 27693:9 27699:11 27718:23 27720:2 surely 27668:22 27669:4 27709:14 surprised 27655:20 27683:14 surrender 27666:15 suspected 27702:9 suspense 27648:12 | 27660:16 27662:10 27670:10,14,15 27683:7 27688:25 27690:18 27694:19 27704:16 27710:12 27718:19,21 taken 27668:22 27707:7 27712:17 27716:3 takes 27644:16 talk 27684:7 27703:16 talked 27660:21 27668:10 talking 27667:15 27679:23 27697:25 27698:2 27705:21 27710:18,20 tea 27690:18,19 tell 27646:5 27647:3 27660:14 27669:12 27678:2 27693:11 27710:12 27718:8 telling 27670:9 27674:24 27683:15 tells 27669:5 terms 27679:21 27680:3 27703:9 27720:5 test 27681:5 testify 27666:14 thank 27650:11,14,15 27655:10 27656:25 27657:1 27665:9,17 27667:13 27671:6 27678:6 27691:2 27697:5 27715:16 27719:8,8 27721:25 27722:8 there's 27647:24 27655:20 27657:19 27670:7,9 27672:3 27674:4 27686:5 27687:10 27692:20 27692:22 27696:4 27699:21 27700:1 27707:6,7,22 they'll 27655:1 they're 27688:9,11 27694:4 27696:19 They've 27692:17 thing 27661:1 27662:23 27668:4 27693:19 27702:25 27704:12 things 27648:20 27670:15 27707:12 27707:18 27720:18 think 27649:16,19,24 27651:15 27654:5 27655:1 27656:16 27657:18 27658:20 27661:2,3,12 27663:11 27665:1 27667:10 27678:8 27681:17 27682:11 27682:18 27683:9 27687:4 27690:17 | 27692:3,5,7,14 27695:22 27700:19 27703:11 27704:5,5 27707:10 27711:22 27712:9,12 27714:13 27714:24 27715:22 27716:20 27717:25 27718:8,13,14 thinkings 27671:18 thought 27650:9 27676:19 27705:16 27706:17 threat 27716:14 three 27679:13 27683:10 Thursday 27654:23 27672:10 27718:10 27718:11 tidy 27660:18 27668:4 27679:17 time 27642:22 27644:11,21 27646:7 27646:24 27647:4,5 27647:10 27648:10 27648:12 27649:1 27651:23 27653:22 27654:19,20 27655:7 27656:22 27662:3 27665:4 27669:6 27674:3 27687:16 27694:21 27695:13 27695:16 27714:9 27720:9 27721:4,7 times 27711:22 today 27641:21 27653:24 27654:12 27655:12 27660:17 today's 27654:3 27660:6 told 27648:19 27660:13 27669:18 27673:2,7 27714:25 27716:19 27719:10 tomorrow 27654:14 27719:19 topic 27674:13 27690:18 total 27686:12 totally 27652:5 touch 27654:10 traditions 27651:2 traffic 27641:5 27653:23 27657:5 27697:23 trained 27675:13,13 27681:12 training 27681:19 27682:22 27694:2 transcript 27646:11 27649:19 27654:9 27655:18,21,25 27656:8,8,14 transgressions 27698:20 27702:25 27704:19 travel 27654:3,5 |
|---|---|---|--|---|

| | | | | |
|---|---|---|---|--|
| <p>triple 27661:8 27697:7 trouble 27650:3 TRT 27666:13 27673:20 27675:22 27676:13 27681:7 true 27672:24 trust 27643:2 27676:7 27720:22 27721:2 try 27642:18 27650:22 27685:4 trying 27646:10 27679:16 27686:21 27708:13 Tuesday 27654:17 27666:22,23 27667:4 27667:9 27717:14 27719:21 turned 27658:14 turns 27692:8 Twala 27671:10 two 27642:1 27656:6 27662:7 27673:21 27683:9 typed 27646:11 27656:10</p> <hr/> <p style="text-align: center;">U</p> <p>ultimately 27710:11 unable 27673:21 uncontradicted 27718:25 understand 27644:10 27644:20 27649:4,16 27649:22 27650:5 27651:17 27652:3,8 27653:10 27660:1 27663:16 27679:12 27680:8 27682:15,18 27686:1 27692:6 27694:6 27696:21 27702:19 27703:6 27708:13 27709:12 27709:23,24 27711:18,20 27713:24 27715:15 understanding 27693:4 understood 27654:1 27662:14 27663:18 27663:21 27674:5 27684:18 27693:2 27716:19 undertaken 27668:15 undertaking 27648:22 undignified 27664:23 unfold 27676:6,11 27709:16,25 unfortunately 27717:15 unit 27688:6 units 27688:13 27691:21 27692:10 unnecessary 27719:18 unrest 27678:25 27679:3,12 27680:20 27681:11,15,21,24 27682:1 27684:2,10</p> | <p>27686:3,11 27687:3,5 27687:7,20 27689:11 27693:2,3,12,24,24 27695:1 27709:21 unrest-related 27682:10 untoward 27652:1 27709:5 untrue 27673:24 uphold 27712:13 use 27647:20 27678:13 27698:8 27706:23,24 27716:23 27721:18 utilised 27681:12</p> <hr/> <p style="text-align: center;">V</p> <p>valid 27679:19 Van 27697:13 27698:8 27699:6 27700:13 27702:1,16 27703:12 27703:21 27704:9,25 various 27645:17 27660:24 27665:6 27682:20 27692:10 vehicle 27670:7,8,9,10 27670:11 27675:5 version 27645:7,21 27650:4 versions 27645:22 vicinity 27689:9 view 27648:23 27653:21 27706:19 27706:19 27707:2 27709:7,14 27711:12 27713:25 27714:1,4,9 27714:18,19 27715:4 visited 27641:11 voice 27656:10,15 Volgens 27708:3 vote 27654:21</p> <hr/> <p style="text-align: center;">W</p> <p>waive 27648:15 waiver 27648:17,23 want 27642:19 27644:15 27645:9 27649:7 27650:15 27651:11 27654:25 27668:3 27678:24 27688:23 27694:5,7 27695:15 27697:8 27706:23 27711:20 27714:10 27719:5,7 wanted 27644:23 27703:15 wants 27641:12 27644:15 27658:15 27692:6 27695:23 warn 27645:11 warned 27651:6 27662:23 27670:13 warning 27662:19 warrant 27717:14 27718:2,3 wasn't 27646:6 27647:22 27652:2</p> | <p>27659:17 27672:10 27677:24 27687:4 27700:20 27701:24 27705:15 27709:20 27712:17,24 27718:15 way 27645:5 27648:20 27654:10,24 27681:22 27682:15 27684:18 27689:3 27694:13 27704:1 27705:2 27706:13 27720:15 weapons 27659:17,21 27659:23 27664:10 27664:13 27666:16 27669:3,5,9 27672:7 27693:17 27697:24 27704:12 27714:11 27715:9,24 Wednesday 27654:17 27717:25 27718:1,10 27719:22 week 27642:11,21 27719:21 well-founded 27647:16 went 27659:20,22 27666:17 27676:21 27700:23 27706:16 weren't 27712:23 Wesley 27646:7,9,10 27646:18,23,25 27647:2,5,8 27656:3 27656:4,5 West 27681:22 27683:9 27683:15,21,22 27684:1,9,21 27685:21 27686:16 27686:17 27687:1,23 27688:11 27691:3 27692:24 27693:3 27694:7 27696:14 Western 27682:18 we'd 27641:15 we'll 27690:18 27708:12 27719:6,13 27719:16 27720:6,8 27721:3 we're 27654:12,18 27661:10 27675:7 27677:10 27691:18 27695:18 27697:18 27706:18 27712:21 we've 27653:22 27655:13 27689:5 27718:24 27721:12 what's 27655:20 27699:14 whereabouts 27708:17 where's 27691:8 Whilst 27672:4 27677:10 who's 27699:15 27700:17 willing 27643:10 wish 27658:10</p> | <p>wished 27644:22 wishes 27690:19 withdraw 27681:18 witness 27641:22,22 27642:19 27643:9,16 27643:22,24 27644:6 27644:10,13,16,21,22 27645:11,18,23 27646:24 27648:1,4,6 27648:7,8,11,14,18 27648:24 27649:2,6 27649:11,17 27650:17 27651:5,7 27651:10,25 27652:3 27655:5 27662:8 27666:13 27673:18 27674:8,9 27703:14 27703:20 27704:6 27712:10 27720:16 27720:17 witnesses 27643:1 27645:5 27647:20 27674:25 27720:11 27720:12 27721:21 27721:22 witness's 27644:8 27649:25 won't 27653:24 27654:16 27685:8 27689:8 27720:16 word 27678:13 words 27684:25 27685:1 27716:24 27718:17 work 27646:11 27687:15 27699:1,18 27721:9,11 workers 27664:19 working 27720:15 worried 27690:14 27714:9 wouldn't 27684:21 27715:23 wrap 27646:3 wraps 27646:6,22 27647:15 27656:17 write 27695:13 27698:7 27699:22 27712:19 27716:6 writing 27721:8 written 27679:5 wrong 27662:11 27663:22 27670:7,10 27670:15 27685:1 27692:8 27706:16 wrote 27683:18,23 27701:7</p> <hr/> <p style="text-align: center;">X</p> <p>X 27658:5 27659:4 27660:14,22 27661:16,24 27669:17 27683:1 X's 27658:18 27661:4 27662:21</p> | <p style="text-align: center;">Y</p> <p>Y 27683:1 year 27647:6,7,10 years 27694:12,13 yesterday 27649:22 27650:2 27654:2 27657:9 27660:3,7,17 27662:21 27663:17 27663:21 27669:22 yielding 27668:24 you'd 27671:23 27675:8 27676:12 27700:22 you'll 27689:21 you're 27641:6 27647:25 27654:9,21 27656:22 27667:19 27668:13 27672:19 27684:11 27685:11 27687:8 27689:14,15 27690:22 27695:19 27696:9,22 27697:25 27699:11 27707:2 27711:1,18 27714:15 27716:3 you've 27653:17 27655:24 27659:6 27676:18 27682:21 27719:6 27722:4</p> <hr/> <p style="text-align: center;">Z</p> <p>Zyl 27697:13 27698:8 27699:6 27700:14 27702:1,16 27703:12 27703:21 27704:9,25</p> <hr/> <p style="text-align: center;">0</p> <p>000 27660:20 27661:25 27694:19 27714:11</p> <hr/> <p style="text-align: center;">1</p> <p>1 27654:4,8 27695:9 27705:19,19 1.1 27720:6 1.4 27720:6 1.5 27720:6 10 27694:12,13 10:38 27641:2 10:58 27652:21 11 27678:24 27684:12 11th 27661:22 11.1 27684:6,12,13,14 27684:17 11.2 27695:5,8,9,19,22 11.3 27695:18 11.4 27679:21 27705:10 11.7 27679:21,21 11:18 27666:24 11:38 27680:21 12 27642:22 27678:22 12th 27641:22 27645:6 27645:17 12:21 27690:21 12:41 27705:21 13th 27665:2 27672:18</p> |
|---|---|---|---|--|

| | | | | |
|--|--|--|--|--|
| <p>27677:11 27685:18 27685:20 27690:4,9 27691:2 27692:13 27697:16,25 27704:15 27705:22 13:01 27720:5 14th 27667:4 27673:5 15th 27666:11 27667:1 27667:11,25 27668:11 27682:12 27714:24 16th 27666:11 27667:1 27667:11 27668:1,11 27689:1 27697:7 27699:2 27700:9,20 27718:13 17th 27718:13</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 27689:1,10,13 27690:6 2012 27645:6 27678:23 27679:18,19 27680:6 27691:2 2013 27656:10 2014 27641:1 21 27661:7,9 28th 27656:9,14</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 27657:15,22 27658:1 27658:2,7 27659:16 27660:8,10,20,20,23 27660:24 27661:21 27661:25 27714:11 30 27641:1 27694:19 31st 27720:7,24 36 27718:12</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 27669:23</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>50 27661:24 27662:1,5</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>700 27682:5</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8th 27654:12,19 27656:11 27719:17 27719:24 27720:8,16 27721:14,19 27722:10</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 27675:17 27721:13 27722:9</p> | | | | |
|--|--|--|--|--|

